HM Courts & Tribunals Service

Virtual Remand Hearings
User research report

11 December 2017

Contents

Virtual Remand Hearings   **User Experience**

Introduction and Methodology

Introduction and Methodology

The Virtual Remand Hearings Team (VRH) undertook a condensed 2 week discovery in order to understand what public and professional users need to have a remand hearing – and inform the scope of the Virtual Remand Hearing pilot planned for March 2018.
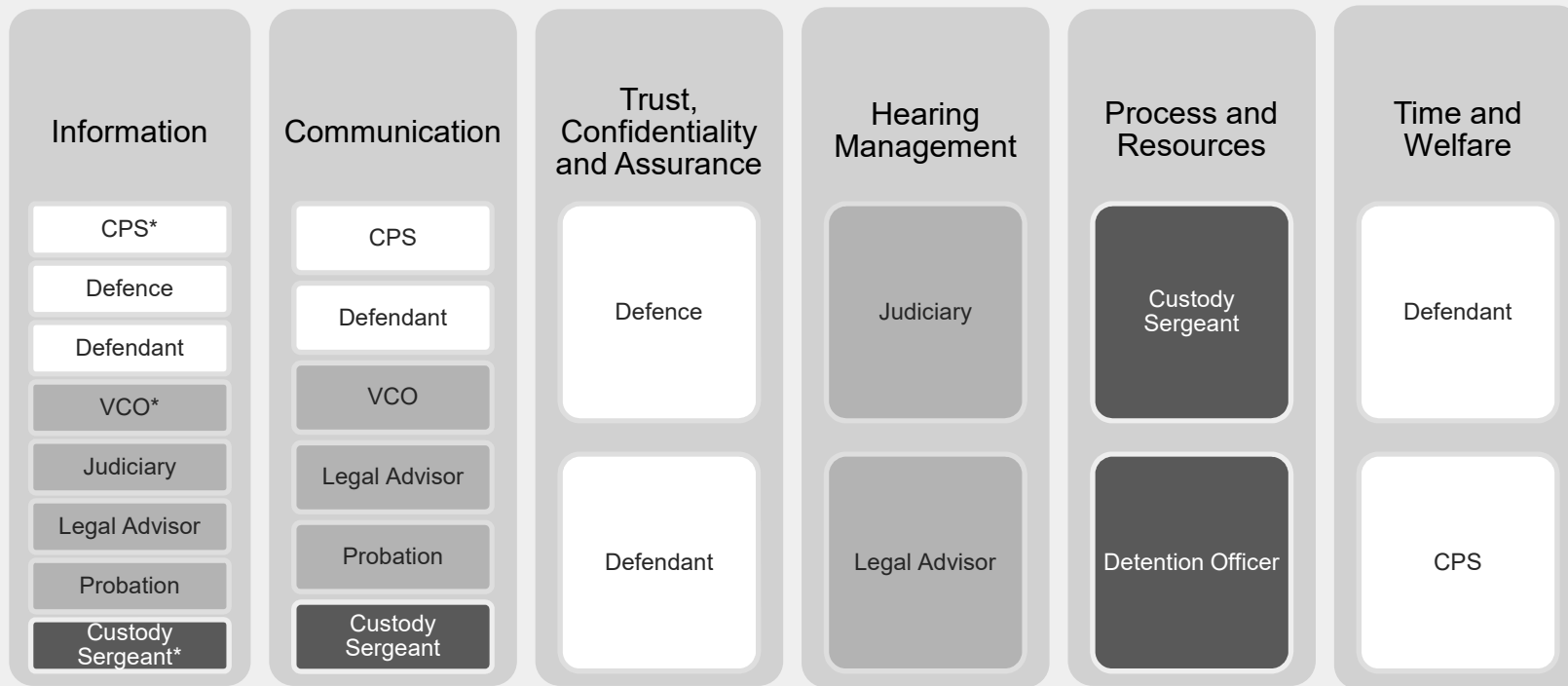
- Over the course of a week in November 2017, experience workshops were held for courts (court administrators, ushers, legal advisors, virtual court officers and judiciary), defence (law society and defence solicitors), CPS (CPS administrators and presenting officers), probation (Senior POs, POs, Court Duty Officers and change leads) and police and PECs (custody sergeants, detention officers, senior officers and senior PECs contract staff) in order to understand the As-Is process around remand hearings.
    - As workshops were conducted mostly in Medway, most attendees held a combination of experience around both physical and virtually-enabled remand hearings – with some having only virtually-enabled experience.

- 1-2-1 semi-structured interviews were also conducted in parallel to the workshops to elicit further experiential findings to support VRH to understand As-Is, formulate hypotheses and prototypes to test for a proposed To-Be service and contribute to defining future pilot scope.

Research activities

- Conducted 5 x 3 hour workshops and 15 x 45-60 minute 1-2-1 interviews with professionals across CPS, courts (including judiciary), defence, probation and Police & PECs:
  - The workshops initially focused on mapping out the As-Is experience journey for each group/role – and then began to inform thinking around future To-Be.
  - Interviews primarily investigated more emotive elements of the journey and experience and participants were drawn from the workshop group due to role and experience.

- Observations of virtual custody suites and virtually enabled and physical remand hearings at South Bromley, North Kent and Medway magistrates courts.

- Drawing on existing academic and HMCTS research around remand hearings.

- A review of associated data available in the public domain.

- Began to sketch out some of the main evidence gaps, the resource required to obtain this and the importance of obtaining this evidence in order to deliver this project.

Findings – Overview

Findings – Overview – Theme breakdown

Information	Communication	Trust, Confidentiality and Assurance	Hearing Management	Process and Resources	Time and Welfare
CPS*	CPS	Defence	Judiciary	Custody Sergeant	Defendant
Defence	Defendant				
Defendant	VCO				
VCO*	Legal Advisor	Defendant	Legal Advisor	Detention Officer	CPS
Judiciary	Probation				
Legal Advisor	Custody Sergeant				
Probation					
Custody Sergeant*					

* White boxes indicate parties, medium grey indicates courts, while dark grey boxes indicate police

Virtual Remand Hearings   **User Experience**

Findings – Overview

Across user groups, multiple challenges are currently faced in the preparation and execution of remand hearings. Despite user groups having different individual goals, common themes have emerged:

- **Information –** that is accurate and timely – alongside increased visibility is sought across all groups;
- **Communication –** is found to be lacking across roles – causing additional delays and confusion;
- **Trust, confidentiality and assurance –** is needed by both defence and defendant;
- **Hearing management –** is impacted by lack of information, communication and delays;
- **Process and resources –** have resulted in challenges and issues for those in police roles.

Therefore, core users involved in remand hearings feel the need for:
- **Access to timely, accurate and detailed information –** to better awareness around hearings, have more visibility around the process, and assure users what the next steps are;
- **Clear communication processes an channels across agencies and roles –** to gain awareness of expectations, timings, visibility and process to better prepare for hearings and gain trust in the process;
- **Improved process and resources –** to reduce risks, fatigue and workload while accommodating all users and service expectations.

Findings – Parties:

Defendant
Defence
CPS

Findings – Defendant

Due to the inability to engage with this user group directly, findings around defendants were elicited by proxy through other user groups. However, two main themes emerged around trust and assurance of the situation defendants were in and a lack of information and communication around what was happening and what was going to happen while in the process:

- **Trust and Assurance –** from the point of arrest and acceptance into police custody to the outcome of their remand hearing, defendants feel the need for assurance and trust that they will be treated fairly:
    - At point of being accepted into custody, defendants wish to have access to someone they consider on their side – to communicate their situation and to feel someone is supporting them.
    - Defendants can be suspicious of solicitors they do not know (especially duty solicitors), and are primarily concerned with achieving bail rather than other aspects of their circumstances. Therefore, accessibility to a solicitor they trust in a confidential and private space to discuss their situation and gain advice is desired.
    - During hearings, defendants wish to feel confident the court is considering their case fairly and feel reassured if they have supporters present – while balancing the desire to get the process over with as soon as possible.

    "They [defendants] *need someone on their side they can trust."* Defence - P444

Findings – Defendant (cont.)

- **Information and Communication –** was also found to be desired by defendants throughout their involvement in the process – with a lack of information around what was happening next, how long things would take and what the next steps were:
    - External research shows that defendants don't always understand what is happening to them, which could be attributed to the severity of the experience which makes it difficult to comprehend their situation.
    - Across the process, the lack of information from sources defendants trust also appears to have an impact on their feelings of trust and reassurance around their situation, treatment and what to expect.
    - Knowing when their hearing was to be was of particular importance to defendants – due to their desire to identify when they could be released on bail.
    - Prior to hearings, unrepresented or first time user defendants also feel they want to know more about what hearings are, what will happen, who is there and what they are expected to do so they know what they need to do and what to expect.
    - Post-hearing, defendants wish to have more information on what happened, what the outcome means for them and what the next steps will be – to make them feel more assured and their situation is clearer.
    - For repeat offenders, there is an additional desire to be heard quickly as defendants were motivated to be able to be remanded into prion and not be locked out to police custody overnight – as prison cells and structure is deemed preferable to custody suites.

Findings – Defence

Defence solicitors, much like the CPS generally feel their efforts are contributing to justice and protecting society. For remand hearings, defence are contacted when their client is accepted into police custody – with some being involved from pre-hearing. Throughout, defence appear to have the following challenges:

- **Trust and Confidentiality –** was a theme that emerged for both defence and defendants. For defence, trust and confidence related to how they conducted their business, how they viewed the police and other agencies – as well as the desire to gain and maintain trust from their clients.
  - Defence felt the importance of gaining trust of new clients during initial consultations (both pre-charge and pre-hearing) with some clients viewing them as "police lawyers" if new to them.
  - Having to chase CPS for case information prior to client consultation pre-hearing may impact on defence solicitor feelings of exclusion from the process.
  - Informal negotiations around plea and charges with CPS pre-hearing were found to be vital to the client and their case as well as important to be kept off record.
  - The importance of having the opportunity to hold confidential consultations with their client, both pre and post-hearing was also a concern.

"We need to speak to the CPS on the day without there being a record. It's how business is done." Defence - P444

Findings – Defence (cont.)

- **Information –** as with CPS, defence find obtaining accurate and timely information a challenge. There were multiple elements to this, including eliciting information from clients, case information from CPS and listing information from the court.
    - Related to trust and confidentiality, defence sometimes find it challenging to get the information they need from clients (and in some cases client friends and family) in order to construct an effective defence within the current timeframe – such as prepare for case management or deal with credit.
    - Defendants often do not have the information defence need and are preoccupied with the need to obtain bail – rather than other issues needing to be tackled.
    - Defence also spoke of issues obtaining complete and accurate information from CPS pertaining to the case pre-hearing – leading some to chase CPS for it and causing additional delays to consultations, and inevitably to hearings.
    - When appearing from police custody or a third location, defence are often frustrated by the court not being able to inform them of when the hearing will start. This causes additional angst due to defence having multiple clients and hearings as well as the desire to be compensated for their time.

    [speaking about what questions clients ask] *"It's bail first, bail second and bail third."* Defence - P444

Findings – CPS

CPS generally feed off the fact their efforts are contributing to justice and protecting society. In terms of remand hearings, CPS staff are involved from the point of decision to charge until the bail/remand decision is made. Throughout, CPS staff appear to meet with the following challenges:

- **Information –** CPS receive information from the police in order to advise around charges. However, this information often arrives in varying degrees of quality and format, making their check and review activities more difficult – particularly when they have limited time (such as breach of bail cases).
  - Information is often required on the day of hearings, from defence solicitors to inform them of bail position and informal negotiating around charges and VCOs, LAs and other court staff around list order and same-day cases to be heard.
  - Additionally, information is also sought from police around risks and details such as victims or witnesses which may be needed to include in presenting cases.
  - This leaves CPS to prioritise preparation pre-hearing – having to continue it between hearings.

  "The quality of the file coming through can be a challenge." CPS - P450

  "It could be the first and last time in court, so it's important information is at hand and we present well." CPS - P450

Findings – CPS (cont.)

- **Communication –** Alongside information required to effectively prepare and present cases, communication is seen as key by CPS to perform effectively in their role.
    - CPS disseminate case bundles to CourtStore for LA and court staff. However, defence request bundles independently – leading CPS to ensure they are accessible to obtain the information pre-hearing.
    - In order to get the information CPS need to ensure that they have prepared cases being heard and are making effective, the ability to communicate with defence and police both before and between hearings was viewed as important.
    - During hearings, CPS also attempt to gain sight of next cases being heard by briefly asking LA or usher during hearings – so they have visibility of next case on and can complete any last minute preparation.

    "It needs constant communication with the usher…So when I'm dealing with a case, I'll always try and ask the usher what we are doing next before the next case is called on so that you can get ahead." CPS - P450

    "I need to speak to defence and establish what the plea is and what bail will be like…if plea is not guilty…there's lots more work to be done. So that's why knowing what the plea is, is a very important conversation." CPS - P457

Findings – CPS (cont.)

- **Time –** from the initial charge to the pre-hearing preparation, time is often a constant pressure for CPS to check and prepare cases for presentation.
  - Initial preparation occurs on the morning of the hearings and CPS are allocated around 60-90 minutes for all cases listed – which is commonly not enough.
  - The amount of work and quality of incoming information leads CPS to prioritise – leaving some case preparation to be conducted during and between hearings.
  - After a judicial decision has been reached and communicated to the court, CPS often find it challenging to record the outcome on Prosecutor APP and be case ready for the next hearing before the defendant appears and the hearing begins.
  - When District Judges oversee remand hearings, less natural breaks occur – leaving CPS to sustain an even higher level of concentration and multi-tasking activities. This is seen as both positive and negative, however, it forces CPS to be able to work at a higher unremitting pace.
  - Inability to have sight of the hearing list causes issues for CPS, as they would be able to prioritise their preparation better and have less preparation to complete during the day.

"Time is always against you…you're in the middle of writing up the case and the usher is calling and they're putting the next case on. You've not even got the next case up and they're in the dock and the charges are being put".
CPS - P457

Findings – CPS (cont.)

- **Welfare –** some CPS felt their wellbeing either was or could be affected by their role in remand hearings as they had to remain in the courtroom for the entire day.
  - Specifically, the concerns focused on personal safety and security and the way the workload was not evenly distributed throughout the day.

  "I'm there [in the courtroom]. I can't move." CPS - P450

  - However, despite some concerns around having to be present in the courtroom through the day and the associated risks involved – some CPS also reflected that it was important for them to remain visible to other parties as well as victims.
  - Visibility was particularly important for one CPS staff – due to current and future CPS initiatives that are aiming to present the CPS as more visible within justice to those who have been affected.

  "Physically being there is important – especially if the case will go to trial. We don't want the CPS to become invisible to them [victims]." CPS - P457

Findings – Courts:

Virtual Court Officer
Legal Advisor
Judiciary
Probation

Findings – Courts – Virtual Court Officer

VCOs (Virtual Court Officers) are involved in remand hearing from early morning when cases are to be heard. They have first sight of cases from the police and disseminate to CPS, court and PECs. During the day, VCOs are responsible for managing connections and list order:

- **Information and Communication –** As with both CPS and defence, information and communication was viewed as the main challenges VCOs faced around remand hearings.
    - As with other actors in this domain, VCOs deal with a large variation of business day-to-day – leading to peaks and dips in workload which can change on a daily basis.
    - VCOs tend to have issues around accessing information from defence solicitors. (and identifying who is representing what case), availability and locations of parties and controlling the courtroom links to consultations and virtual suites.
    - Limited information from court regarding listing and outcomes also proves to be problematic – reducing VCO ability to run efficient and effective hearings with minimal disruptions.
    - VCOs also find delays from police custody frustrating – particularly if rooms are available or when DOs are completing other activities (such as post-hearing tasks or defendant checks) as they can delay hearings.

    "We might have two rooms [virtual suites], *but resourcing is an issue."* VCO - P458

Findings – Courts – Legal Advisor

As with previous user groups, both information and communication were central to LAs (Legal Advisors) experience of remand hearings. LAs gain sight of remand cases on the day and are responsible for managing the list, the correct parties are present, giving judicial support and maintaining the structure, effectiveness and efficiency of hearings:

- **Information –** at times, LAs found it difficult to obtain the correct, full information on cases before hearings – and to inform the bench of any details they should be aware of.
    - LAs spoke of difficulties in getting specific information from CPS and police around linked warrants and cases, leading them to find it challenging to disclose matters to the bench that may affect the case, decision or outcome
    - Additionally, LAs also felt they had limited information from police and CPS around defendant needs – which had an impact on their management of listing order – leaving some defendants to wait longer, when they would have been considered a priority
    - Lack of information from the court through the day also appeared to impact on LA ability to prioritise and manage an effective and efficient hearing list, causing delays and frustrations.

Findings – Courts – Legal Advisor (cont.)

- **Communication –** running alongside issues around information, LAs also found communication throughout the day, and with multiple parties challenging at times:
    - Pre-hearings, changes and lack of information around advocates prove frustrating and an issue for LAs, as failure to contact them caused delays to cases being heard – and ultimately having an impact on the list and effectiveness of hearings on the day.
    - Relating to the above point, additional delays are also caused by not having full visibility of the list through the day (as this was also controlled by the VCO), leading to uneven workloads and lists difficult to manage due to delays earlier in the day
    - During hearings, LAs feel it is important to speak to, hear and see all parties – as well as all parties speak, see and hear them. This gives LAs confidence that everyone was informed, involved and the hearing structure could be maintained.
    - Constant communication with court staff and other agencies is seen as vitally important due to the number of same-day cases to be heard and additional information pertaining to listed cases being important for the court and bench.

Findings – Courts – Judiciary

Both magistrate and District Judge interviewed felt passionate about administering justice and upholding societal values. However, they reported a number of challenges around remand hearings:

- **Information –** was again a key theme when speaking about judicial experience of remand hearings. From early morning, to throughout the day, a lack of information for other parties and judiciary is seen as one of the main reasons hearings get delayed – causing frustration as a result.
  - Judiciary want hearings to go ahead without delays and the list to be heard efficiently. Judiciary feel defence solicitors in particular delay hearings at 10am due to only having first sight of the case that day and struggle to access case information from CPS.
  - Case readiness for both parties was also viewed as a common delay
  - Complete and accurate case information (including history and linked warrants and cases) isn't always accessible to judiciary – again impeding on ability to begin hearings and perform judicial tasks during hearings
  - Additionally, it was felt that CourtStore case information sometimes wasn't uploaded correctly and iPads made it difficult to scroll through bundles.

  "One of the greatest frustrations is if we are able to start at 10am and get our heads down and get on with it we would actually have an efficient running court – but that is an impossible task." District Judge - P446

Findings – Courts – Judiciary (cont.)

- **Hearing management –** was another theme causing some issues for judiciary. Poor case readiness and respect to the court were all aspects that came into play in order for judiciary to conduct their role effectively:
  - Due to perceived difficulties in defence solicitors getting detailed case information on time and having first sight of the case same day, as well as some CPS not having time to prepare – parties not prepared for case management causes frustration by making hearings delayed or ineffective – and ultimately leading to cases not being progressed.
  - Delays caused by defendants being taken up and down from cells were a serious cause for concern from the District Judge – as he believed that delays like that ate up hearing time when he was already running at half his capacity.
  - The District Judge felt that his experience allowed him to case manage more effectively – particularly when dealing with non-represented defendants and those who may disrespect the court if overseen by magistrates.

  "If I don't case manage effectively, I haven't done my job." District Judge - P446

  [Speaking about waiting for defendants to appear] *"When you're sitting in that chair, 5 minutes seems like 5 hours. It's amazing."* District Judge - P446

Findings – Courts – Probation

The overall aims of the National Probation Service (NPS) is to reduce re-offending, reduce remands and ensure the safe implementation of community orders and non-custodial interventions. NPS manages high-risk offenders in the community, while private companies manage licences of medium to low-risk offenders. As with other key users, themes around information and communication were apparent:

- **Information –** as with all other groups, access to accurate information is sought by NPS. For them, information on defendant, history, charges, plea and list are all required for them to assess the situation with confidence and manage workloads.
    - At times, this information is challenging to access – due to lack of morning TSJ meeting at the court (where CPS, LA and duty solicitors discuss list, cases and plea). This is commonly a result of CPS not always being present, individuals being busy and IT issues.
    - Other confounding factors in accessing information are due to defence solicitors giving information at different points and police bail judgements prior to probation involvement.
    - A key information gathering exercise is being able to speak to and interview the defendant pre-hearing – as this can form the basis of probation service assessment for bail. However, the assessment can be less valuable if this interaction does not take place – resulting in probation services to rely on information from defence solicitors.

Findings – Courts – Probation (cont.)

- **Communication –** again tying in with the theme of information, communication is viewed as vital for probation officers in-court. For this user group, face-to-face interactions were viewed as especially important – due to the nature of the interactions they have and the type of work they are required to complete.
    - In interviewing the defendant pre-hearing, probation officers feel the need for this to be conducted personally, and on a face-to-face basis. This is due to their ability to make more considered assessments around character and risks associated with bail positions.
    - This was of particular importance if the defendant and probation officer were unknown to each other and it was their first interaction.
    - As described in the previous section, probation officers feel their presence in-court is important due to the need to be accessible and interact with CPS, defence solicitors, legal advisors and court staff to discuss list order, expectations for assessments and reports and remain as involved as possible in the process.
    - Probation officers raised potential risks around virtual hearings reducing their involvement in remand hearings – and negatively impacting on their contribution and increasing remands as a result.
    - Concerns were also raised around defendants not being present in-court for their hearings, not presenting themselves well and increasing re-offending rates – due to the courtroom losing some of its importance to them.

Findings – Police:

Custody Sergeant
Detention Officer

Findings – Police – Custody Sergeant

For police custody sergeants, their main goal was to maintain safety, security and risks within the custody suite whilst defendants were on-site. However, both information and communication as well as process and resources prove challenging for them:

- **Information and Communication –** as with all other users we engaged with, both information and communication were at the forefront of daily issues and challenges. However, custody sergeants were more focused on risks and throughput:
    - Custody sergeants were hampered by a lack of information and communication from the courts as to when consultations and hearings were expected to take place – leading their ability to risk assess acceptance of custody for newly detained arrivals more difficult.
    - The ability to identify and contact defence solicitors proves problematic – forcing sergeants and their team to make time to chase them and enable consultations and hearings to happen.
    - Time taken for CPS to review and confirm charging decisions was also found to be challenging at times, leading the police to delay charging defendants and as a result, cases to be listed – leaving defendants remaining in police custody for longer.

"When remanding, we are hoping to get them into court on the same day. That's the ideal world." Police - P452

Findings – Police – Custody Sergeant (cont.)

- **Process and Resources –** ran alongside challenges with information and communication. Courts run only during certain hours with cut-offs – leading custody sergeants to try to fit around current court processes. Resources also prove to be problematic in terms of facilities and staff:
  - Restrictive hearing hours leave defendants in custody for longer and sometimes overnight (in Kent they have a 3pm cut-off) which has a detrimental impact on resources and risks due to limited staff and the custody suite not being designed to hold defendants for so long.
  - Challenges also arose around the process to hand over defendants for physical hearings and those who have been remanded to prison. Currently, the process can be convoluted and takes up valuable time for their detention officers as well as space in custody cells.
  - Resourcing in terms of both current staff and facilities are seen to be under pressure due to the demands of the court, higher numbers of defendants being held on-site for longer for virtually-enabled hearings and additional risks in dealing with defendants during and after their remand hearing.

  "The sooner we can get the whole process done, the better for everyone." Police P452

  "We also manage that risk as well [defendants receiving a court bail/remand outcome on-site], *so we deal with more risks doing virtual hearings than sending defendants to court physically."* Police P452

Findings – Police – Detention Officer

Similar to custody sergeants, detention officers (DOs) are concerned with on-site risks in the custody suite which manifested as challenges relating to both the current process and resources around virtually-enabled custody hearings:

- **Resources –** relating to issues around process, the addition of virtually-enabled remand hearings whilst defendants are in police custody appears to have caused a number of other challenges around resources:
  - Virtual court suites are not primarily designed to be an extension of the court and are viewed by some DOs as oppressive and dissimilar to a physical courtroom – leading them to question if defendants respect or feel confidence in the hearing and outcome.
  - In addition to the above, virtual court suites are deemed too small to safely and effectively manage escalation of risks – particularly when other DOs are completing other tasks and not readily available.
  - Staff resources were also identified as problematic due to the additional activities around consultations and hearings on-site, risks in dealing with defendants post-hearing and defendants remaining on-site for longer than originally intended.

"The design of the service needs to be right. There's not enough space at the moment." Police - P453

Findings – Police – Detention Officer (Cont.)

- **Process –** in terms of court expectations of DOs, there appear to be a number of pressures and restrictions which impact on their ability to conduct their roles:
  - As with custody sergeants, DOs are frustrated by the lack of upfront information from courts around listing and when consultations and cases will be heard – with the court calling and expecting DOs to get the defendant into the virtual suite immediately irrespective if the DO is conducting other tasks.
  - Relating to the above point, expectations from court that following one hearing the next defendant should be presented for their hearing immediately causes frustration and stress for DOs – due to the post-hearing tasks they are required to complete before being able to collect the next defendant from their cell.
  - Restricted court hearing hours result in DOs having intense periods of activity where they are juggling multiple tasks in managing defendants and attendance at hearings.
  - Allowing defendants to appear in court whilst on-site at the custody suite also proves challenging at times for DOs. Particularly when left to deal with and risk-manage an animated or highly charged defendant post-hearing when the court cut the link abruptly.

  [Speaking about restrictive court hours] *"We just have to manage the situation, but it's very difficult."* Police - P453

Supplementary findings:

Quantitative Research – Context, Overview, Sourcing and Analysis
Quantitative Research – Volumes
Existing Project Research – Virtual Hearings and Scheduling & Listing

Supplementary findings – Quantitative Research

The Need:

- Quantitative insight is central to service design, however HMCTS lacks the capacity to provide Reform projects with the data and analysis they need.
- Through the WP6 Design work for Public Law, and review of existing services, a range of common quantitative insight needs have been identified from projects. These are common needs across Services and also fundamental for their interaction with cross-cutting / enabling projects, for example:
- Contact volumes, by reason for contact: provides insight on pain points for design, but also informs Service resource planning if that demand can be managed by the CTSC, which needs these volumes for its resourcing and planning. All of this underpins the Channel Shift assumptions which are central to the meeting the business case benefits/savings.
- Numbers of parties involved in cases: who are all the different users of a service, so their needs can be captured. Then how many people come to court in relation to a hearing, and what is their role, for Local Tier, Virtual Hearings and Scheduling& Listing etc.
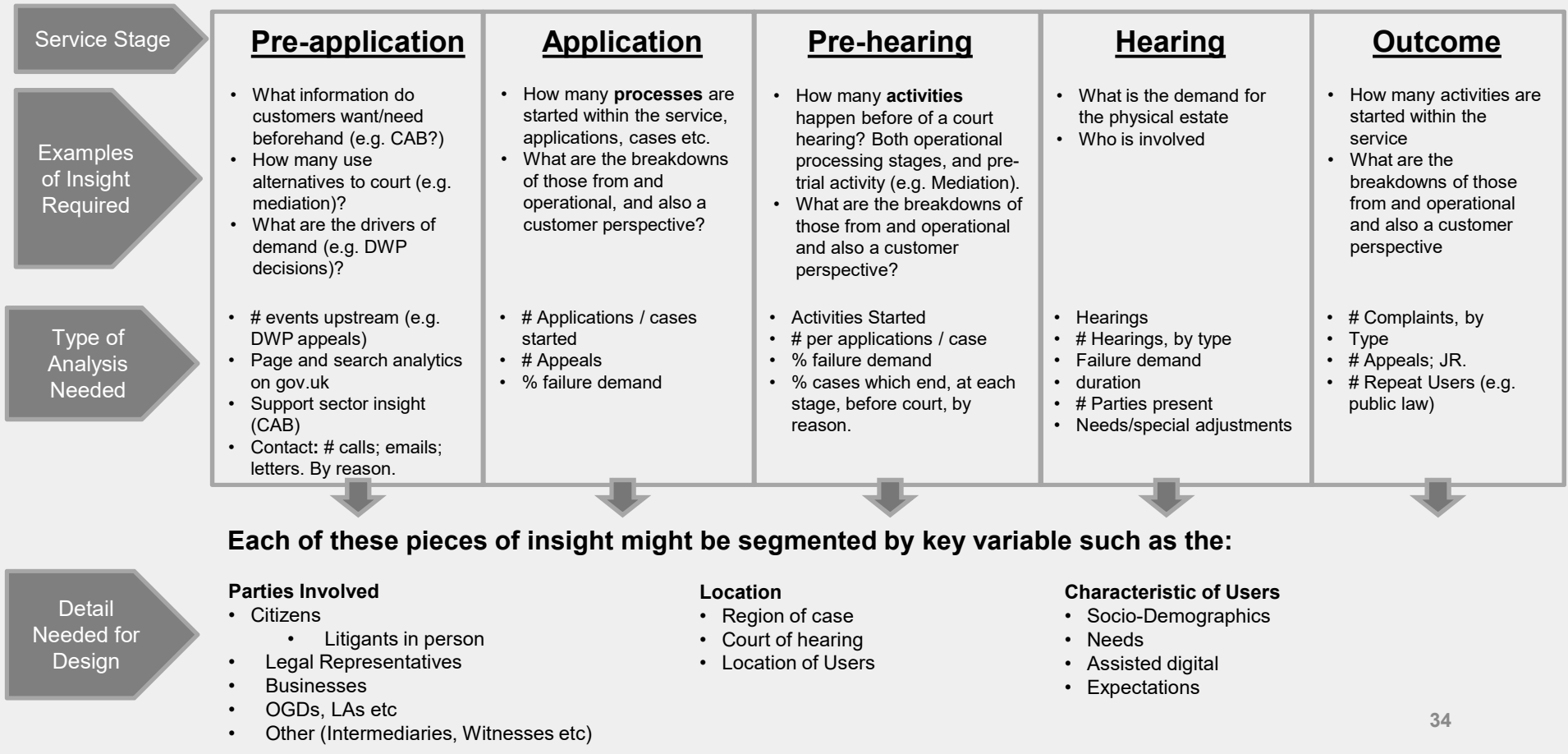
Quantitative Research – Context

The Challenges:

- Whilst questions are easy to frame and their importance clear, they can be challenging to answer quickly.
- Management Information provides insight at a high-level, but to get to the level of detail needed for Reform projects further data extraction and analysis is required. E.g. hearing numbers are a published statistic, but we don't know how may people on average attend the hearings, that requires complex analysis.
- The Business Case analysis is relied upon as a source of insight for design, however that is not the purpose of any business case modelling (which is to appraise the affordability and VfM of a project). The BC is predominantly assumption driven, there is limited detailed insight on: what is driving the inefficiencies in the services (which will be identified through the WP6 design approach), how users do and will behave (only staff, policy and the judiciary input to the assumptions, not service users), and therefore that savings will actually be realised by the proposed changes.

Overview

An example from PUBLIC LAW: A description of the observed minimum quantitative needs for Reform service project design. Terminology and priority will vary across services].

Service Stage	Pre-application	Application	Pre-hearing	Hearing	Outcome
Examples of Insight Required	• What information do customers want/need beforehand (e.g. CAB?) • How many use alternatives to court (e.g. mediation)? • What are the drivers of demand (e.g. DWP decisions)?	• How many **processes** are started within the service, applications, cases etc. • What are the breakdowns of those from and operational, and also a customer perspective?	• How many **activities** happen before of a court hearing? Both operational processing stages, and pre-trial activity (e.g. Mediation). • What are the breakdowns of those from and operational and also a customer perspective?	• What is the demand for the physical estate • Who is involved	• How many activities are started within the service • What are the breakdowns of those from and operational and also a customer perspective
Type of Analysis Needed	• # events upstream (e.g. DWP appeals) • Page and search analytics on gov.uk • Support sector insight (CAB) • Contact: # calls; emails; letters. By reason.	• # Applications / cases started • # Appeals • % failure demand	• Activities Started • # per applications / case • % failure demand • % cases which end, at each stage, before court, by reason.	• Hearings • # Hearings, by type • Failure demand • duration • # Parties present • Needs/special adjustments	• # Complaints, by • Type • # Appeals; JR. • # Repeat Users (e.g. public law)

Each of these pieces of insight might be segmented by key variable such as the:

Detail Needed for Design

Parties Involved
• Citizens
    • Litigants in person
• Legal Representatives
• Businesses
• OGDs, LAs etc
• Other (Intermediaries, Witnesses etc)

Location
• Region of case
• Court of hearing
• Location of Users

Characteristic of Users
• Socio-Demographics
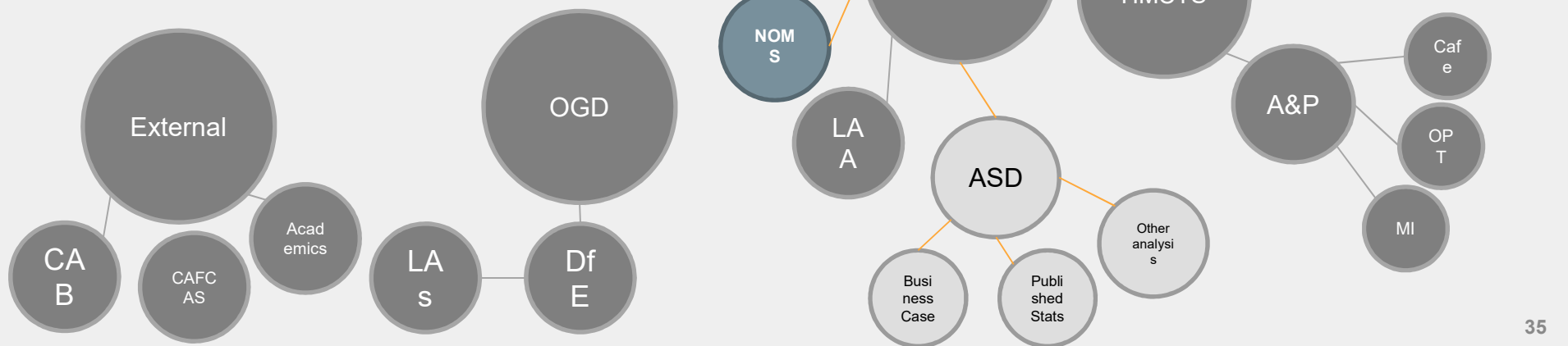• Needs
• Assisted digital
• Expectations

34

Sourcing & Analysing

None of the data is readily available, all in one place and in an easily accessible format.
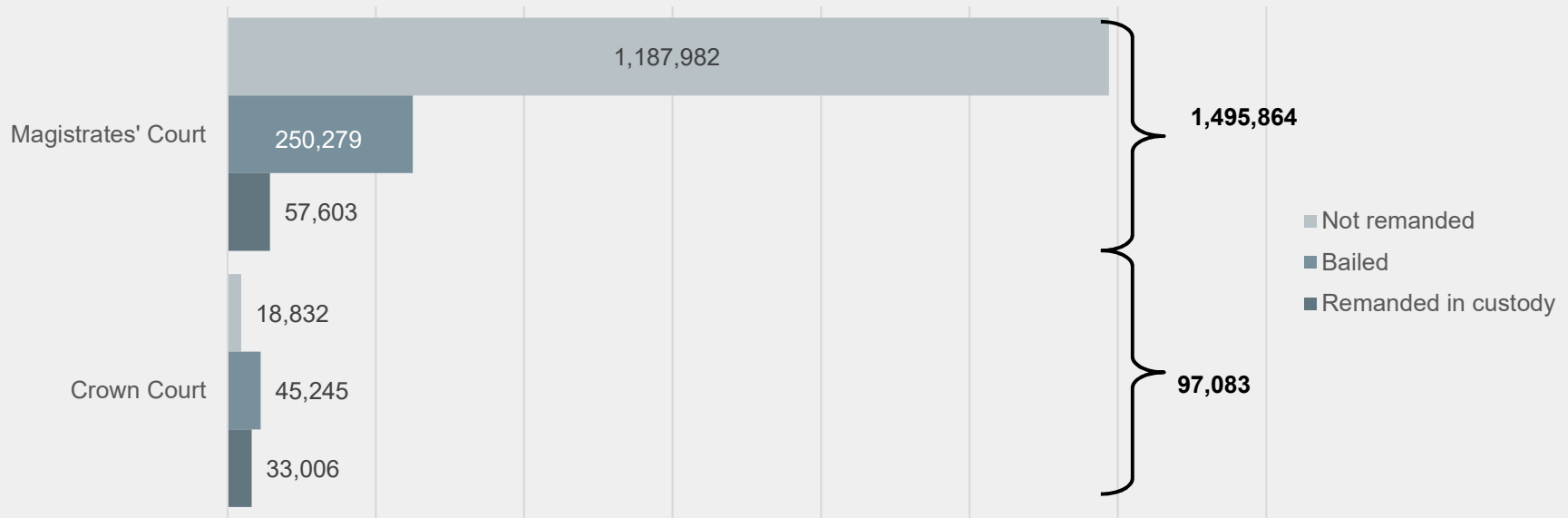
It will need to be sourced, and require support for analysis and interpretation, from a wide range of sources.

For example for **Public Law project's quantitative insight** gaps would likely involve:

Defendant numbers, 12 months ending June 2017

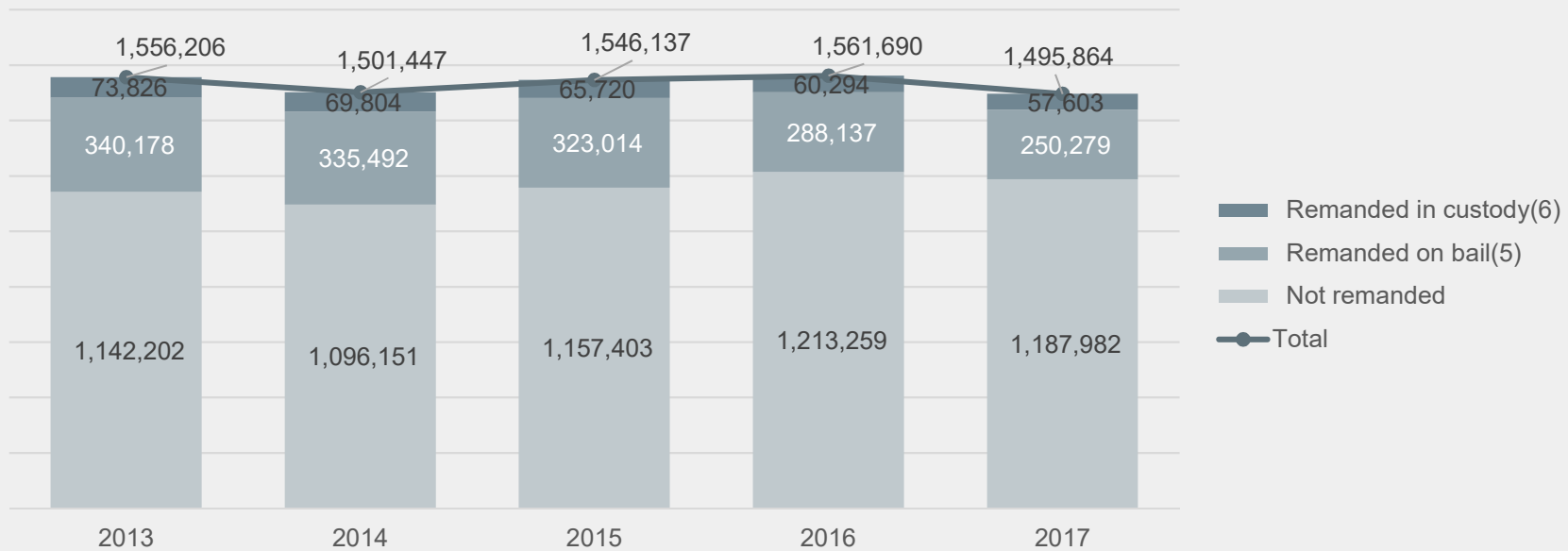**Defendants proceeded against at Magistrates' Courts who were remanded by magistrates, 12 months ending June 2017**

Court	Category	Value
Magistrates' Court	Not remanded	1,187,982
	Bailed	250,279
	Remanded in custody	57,603
Crown Court	Not remanded	18,832
	Bailed	45,245
	Remanded in custody	33,006

1,495,864

97,083

Legend:
- Not remanded
- Bailed
- Remanded in custody

Virtual Remand Hearings   **User Experience**

Defendant numbers, Magistrates Court

Defendants proceeded against at magistrates' courts who were remanded by magistrates, 12 months ending June 2017

Legend:
- Remanded in custody(6)
- Remanded on bail(5)
- Not remanded
- Total

Year	Total	Remanded in custody(6)	Remanded on bail(5)	Not remanded
2013	1,556,206	73,826	340,178	1,142,202
2014	1,501,447	69,804	335,492	1,096,151
2015	1,546,137	65,720	323,014	1,157,403
2016	1,561,690	60,294	288,137	1,213,259
2017	1,495,864	57,603	250,279	1,187,982
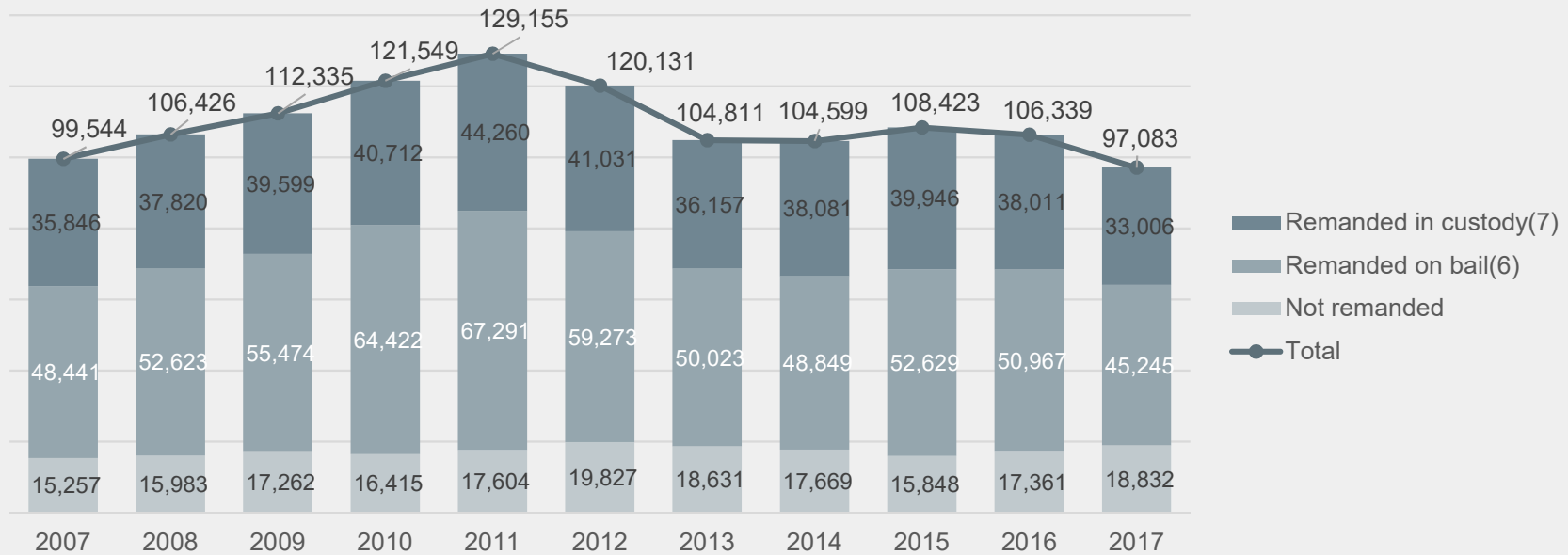
Defendant numbers, Magistrates Court

Defendants are more likely to be remanded in custody for more serious, indictable offences than summary offences – as a result, the proportion of defendants remanded in custody at the Crown Court is higher than at magistrates' courts.

Defendants proceeded against at magistrates' courts who were remanded by magistrates, 12 months ending June 2017

■ Not remanded   ■ Remanded on bail(5)   ■ Remanded in custody(6)

	Magistrates' Court					Crown Court				
	2013	2014	2015	2016	2017	2013	2014	2015	2016	2017
Remanded in custody	4.7	4.6	4.3	3.9	3.9	34.5	36.4	36.8	35.7	34.0
Remanded on bail	21.9	22.3	20.9	18.5	16.7	47.7	46.7	48.5	47.9	46.6
Not remanded	73.4	73.0	74.9	77.7	79.4	17.8	16.9	14.6	16.3	19.4
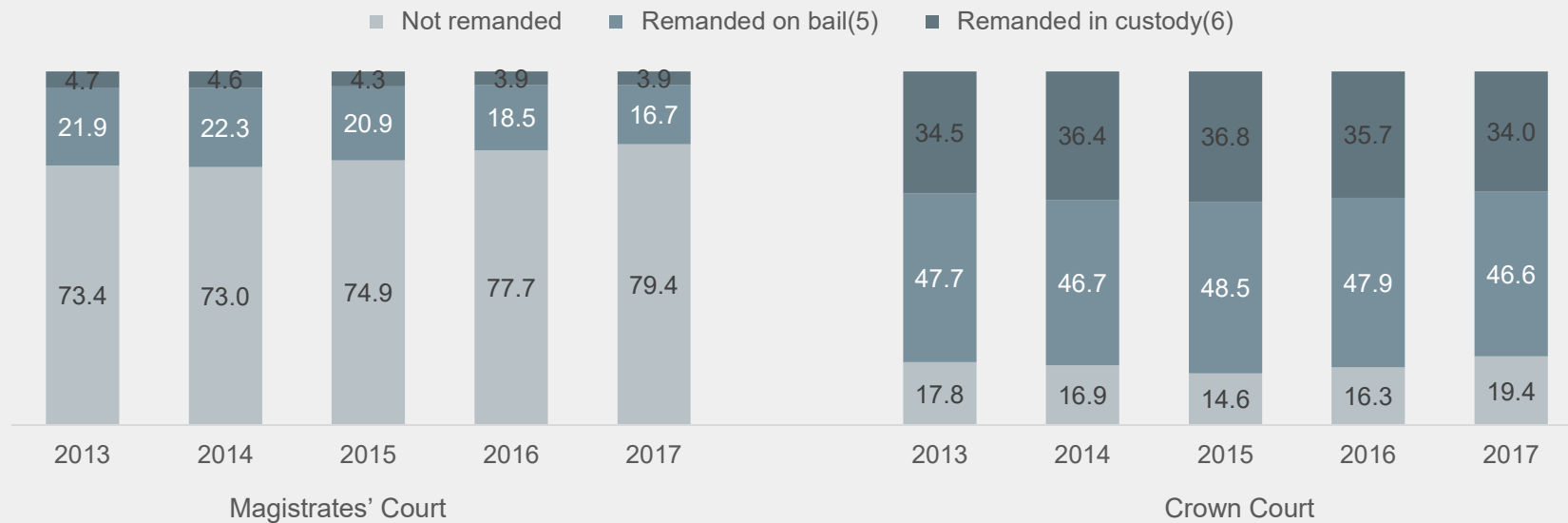
Virtual Remand Hearings   **User Experience**

Virtual Hearings

In addition to conducting primary research with key user groups around remand hearings and investigating volumes, Virtual Hearings (VH) have produced findings around conducting hearings virtually:

- Research was conducted on 3 key user groups – judiciary, legal representatives and the public. VH focused on the hearing itself alongside the elements that should be included in a hearing to make it a viable alternative to physically attending. Common needs identified across all 3 groups include:
    - **I need to feel this is secure so that I trust doing it online –** which relates to trust and assurance.
    - **To submit last minute evidence so all the evidence relating to the case is heard –** which relates to information and communication.
    - **Time to prepare before hearing begins so I am not caught by surprise –** relating to the reactive environment and issues with information and communication.
    - **I need to see/hear everyone else all the time in an adversarial trial –** which relates to elements around hearing management and defendants understanding what hearings are about.
    - **Reliable sound so I can hear what is being discussed and participate in the hearing –** again relating to hearing management and trust and reassurance.
    - **To know who is who in the virtual hearing so I can direct my communications to the appropriate person and can verbalise coms that rely on physical presence –** again relating to hearing management.

Virtual Hearings (cont.)

The VH team also identified a number of associated needs attributable to each of the 3 key user groups. Of these identified needs around process and experience, our current understanding around remand hearings imply they should be considered when designing the To-Be service:

User Group	Stage	Need
Judiciary	Pre-hearing	• To delay the start of a hearing if I feel the hearing is not ready to begin
		• To feel ready for the hearing so that I'm confident in the decision I will make
	Hearing	• To be able to read and evaluate the people in the virtual hearing and their environment so that I can ensure everyone in the hearing is comfortable and able to participate in the hearing
Public	Pre-hearing	• To know what to expect in the hearing, who is speaking, why and how the VH will be structured
		• I need to submit evidence on the day so that I feel confident in the case that I'm making
		• To know who is performing what role in the hearing so that I know why they present and how I should behave towards them

Virtual Hearings (cont.)

User Group	Stage	Need
Public (cont.)	Hearing	• To have the comfort of my supporters so that I can be consoled through the hearing day and have a distraction
		• To communicate in a language that I'm most comfortable in so that I am able to effectively communicate my case
		• To have communicated everything I want to that is relevant to my case so that I feel that a decision is being mad on all the facts
	Outcome	• To talk to my solicitor so that I can understand how it went and what my chances of getting the best outcome for me are
Legal reps	Pre-hearing	• To have access to all the case information so I can prepare the best I can
		• To know about any changes to listings so it does not impact on my preparation
		• To have protocol for handling and inspecting last minute evidence from other sides

Virtual Hearings (cont.)

User Group	Stage	Need
Legal reps (cont.)	**Hearing**	• Know who the Judge is in the virtual hearing so I can communicate appropriately
		• My client and the interpreter to understand each other so that my client is able to fully participate in the hearing
		• To manage my client/witnesses so they behave as they need to during the virtual hearing
		• The appellant /witness to understand my questions so that I can cross examine them
		• To see and refer to evidence so that I can present my case effectively and point the Judge to evidence that needs to be considered in the decision (advocacy craft)
		• To be able to see evidence as it is referred to in the hearing so that I am able to see what arguments are being made
		• To ask questions
	Outcome	• To tell my client what to expect next after the virtual hearing

Scheduling & Listing

Alongside reviewing Virtual Hearing outputs, the Scheduling and Listing Team have also conducted a research discovery – and partly within remand hearings. Findings from their discovery both augment and strengthen VRH primary research in our initial discovery. The main associated findings were:

- **Information and Communication –** were areas found to cause difficulties and challenges across users:
  - **Linked cases –** have to be linked manually by listing officers, which can potentially impact on information not being recorded or shared properly with legal advisors or judiciary.
  - **Lack of real-time information –** between listing team and magistrate courts, resulting in potential inefficiencies in lists, courts overbooked or not full and adjournments.
  - **Low visibility of other courts –** potentially impacting on ability to move overflow lists to other hearing venues. This was particularly prevalent across smaller hearing venues with fewer facilities, resources and space.
  - **Low awareness of when cases will be heard –** was found to be common across both professional and public users, potentially impacting on their experience, assurance or managing other cases due to unexpected waiting times.

Scheduling & Listing (cont.)

- **On the day management –** was found to be non-linear, changeable and intense within magistrate courts – causing a number of issues for users and court staff:
  - **Late changes in list order –** caused complexities and reduced time to prepare for the hearings, with an implied perception of court staff feeling there was little point in preparing too far in advance as late changes were common.
  - **Simultaneous actions –** were found to be common whilst managing activities on the day. With activities such as hearing requests, listing for future hearings, adjournments and finding replacement resources all taking place – increasing the workloads of court staff already under pressure.
  - **Technical problems –** proved to be challenging, as issues such as poor video connectivity and IT not working contribute to an increase in hearing delays and adjournments.
  - **Reactive management –** was commonly considered a part of the day, where firefighting issues such as keeping courts full and responding to case developments required dynamic actions from court staff – again adding to existing pressures and workload.

Implications

Implications

Building on what we know, the findings suggest the following:

- The hearing is not generally considered an issue in itself.
  - Throughout the process, key users require better quality information that is easy to access at a time they need it, clear and flexible communication between other roles, agencies and parties and more visibility on listing in order to improve their experience.
  - Therefore, VRH should first consider current user needs around information, communication and transparency before and after hearings before designing a solution to administer the hearing itself – due to the complex, time-bound and reactive nature of remand hearings.
  - Failure to do this may impact on value, adoption and ability to scale future solutions – as well as exacerbate current challenges and create further strain and pressure on key users.

- We suspect that remand hearings have regional and localised differences in working practices.
  - Therefore, this should be considered and investigated prior to pilot with a view to wider adoption and scalability of future services.
  - Failure to do this may impact on service design not being fit-for-purpose and inability for future service to be easily transferred across regions.

Virtual Remand Hearings   **User Experience**

Implications (cont.)

- Focus for VRH pilot and future service should accommodate for people, process and products – not just the introduction of technology – to provide value, efficiency and effectiveness for users as well as maintaining alignment to HMCTS Reform Programme vision.
  - Findings contained herein have identified multiple challenges as a result of current and previous initiatives to introduce technology into existing processes.
  - VRH should maintain the emphasis on user experience and broaden research activities (particularly with defendants) and implement co-design to further understand what users require and what future service design should include.
  - Failure to do this may further impact on confidence and current negative perceptions of key users in HMCTS ability to accommodate users in future services – devaluing our ability to provide transformation within our services and value and confidence to users, other MoJ agencies and stakeholders.

- This initial study has identified a number of substantial challenges and issues within remand hearings, when initial focus has been scoping for the implementation of a technology-based process.
  - In-house enabling projects such as Virtual Hearings are developing products that may not be suitable for remand hearings due to the nature of the domain. Therefore, process and business change or alternative solutions are required which may prove to create additional challenges to meet (e.g. GDS assessments).

Implications (cont.)

- Our current understanding implies that although multiple initiatives for virtually-enabled remand hearings have been realised, the reactive, complex, multi-agency domain has proved to be challenging.
  - A robust, easily-adopted and uniformed approach should be taken in regards to multi-agency involvement to ensure all key users are involved in the co-design, development and testing of scalable To-Be services.
  - Failure to identify and tie-in common goals and value of To-Be service across users may impact on attitude, adoption, increase resistance and formulate a blame culture around the ability to conduct effective and efficient remand hearings.

- Organising remand hearings to occur on time, with all parties present and prepared appears to rely on a complex set of non-linear actions involving multiple parties, agencies and roles.
  - This results in key users reliance on other users to complete actions and be satisfied prior to being able to do what they themselves need or want to do in order for a hearing to take place.
  - Therefore, VRH should understand the relationships and dependencies users have on other users across the process – and consider pain points and challenges towards the end (hearing and outcome) having been caused by or confounded by issues further upstream (e.g. judiciary frustrated and relying on CPS and defence to be case ready).

Implications (cont.)

- Pre-hearing discussions around party positions on charges and plea are seen to be vital to the process and minimising cases going to trial.
    - These informal negotiations currently take place between defence and CPS before and between hearings (and pre-hearing for the case in question) with a desire to keep them off-record. Currently in Kent, these negotiations tend not to happen with virtually-enabled remand hearings – leading to a self-reported admission of a lower level of service given to defendants by defence solicitors.
    - This is due to conversations being structured around informal "what if" scenarios to negotiate positions around charges and plea – and assist in both parties to prep their case effectively and their expectations on presenting their case.
    - They can also include discussions around specific individuals (such as police) which increase the desire from defence solicitors to to be unrecorded.
    - Additionally, in Kent, virtually-enabled hearings where defendant appears separately to defence solicitor tends not to include a post-hearing consultation – leading again to a lower level of service received by the defendant and their post-hearing questions and concerns answered by DOs.
    - Therefore, To-Be service should accommodate for this. Not doing so could potentially affect case direction, increase trials and provide poor service and experience to defendants.

Limitations

Limitations

Both the nature and timescale of the discovery posed a number of limitations around the research activities conducted:

- In general, participants were already aware of, or currently working with existing versions of virtually-enabled remand hearings – potentially leaning the findings towards current issues and expectations.
  - Also, the discussion guides contained generalised questions (due to the fact we had not confirmed participant roles prior to interview). Therefore, this may have impacted on ability to elicit deeper context and motivations.

- Participants were already involved with various engagement groups – potentially restricting the findings to an inaccurate sample.
  - Additionally, most participants held senior roles rather than operational – therefore potentially slanting findings towards a strategic view.

- As a result of this initial study, knowledge gaps have been identified – such as the need for primary research with defendants and prison and probation staff to gain a deeper understanding of defendant and key user experiences.

Limitations (cont.)

- In addition to the above point, further knowledge gaps have also been identified – with the need for further primary research with key users to validate and expand findings for key users already engaged.
  - Different iterations of journeys through the remand hearing process also need to be identified and validated – with additional volumetric data to ensure VRH captures common journey routes for all key users.

- Participants were interviewed in private, but alongside workshops where senior staff and judiciary were present – which may have had an impact on candour or feelings of privacy or confidentiality.

- Due to the heavily condensed timeframes and resources available, research preparation, approach, data collection, analysis and reporting have been conducted with a view to elicit main areas of focus and have been subject to cursory peer review.
  - Therefore, further analysis of data already collected may provide a deeper understanding of the As-Is and elicit further insights.

Recommendations

Recommendations

Based on our findings, we recommend the following for consideration prior to defining pilot scope and future service design:

- As described in the previous sections, further research should be conducted with key user groups – with particular focus around defendants in order to understand experience, motivations, behaviours and challenges as well as validate and broaden findings contained herein.
  - As highlighted, further qualitative research is required. However, quantitate research may also provide further insights around volumes, user characteristics and case types. A mixed approach would be preferable to elicit and weigh future findings with confidence.

- VRH should communicate high-level findings from this discovery to stakeholders across the Crime Programme in order to provide value and increase understanding of the domain, behaviours, motivations, goals and variability of key user groups.
  - This may also provide the Crime Programme with routes of engagement for further planned projects.
  - Further tie-ins with other HMCTS Reform Projects (such as Virtual hearings and Scheduling & Listing) should be promoted to add cross-cutting value and understanding while minimising duplication of effort.

User needs:

Defendant
Defence
CPS
Virtual Court Officer
Legal Advisor
Judiciary
Police Custody Sergeant
Police Detention Officer

User needs – Parties – Defendant

User Group	Stage	Need
Defendant	**Pre-charge / Post-charge**	• At all stages, I need to know what the process is and what will happen next, so I have fewer unanswered questions, feel more assured and know what to expect
		• After being arrested, I need to feel reassured that I can speak to someone on my side about what is happening to me
		• I need to speak to a solicitor in a way that I can trust and have confidence in them so I can get the advice I need and know what happens next
		• I need to have conversations with my solicitor are confidential and private, so I can tell them what I need in confidence and I can get the best advice I can
	Pre-hearing	• I want to know when my hearing will be so I know when I can be released
		• As a DiP/FTU, I need to understand what a hearing is and what will happen in the hearing, so I know what I need to do and what to expect
		• As a repeat user, I need to be heard as soon as possible as I want to get back to my cell and don't want to be locked out to police custody overnight
	Hearing	• When I appear in court I need to have confidence in the case being considered and know the police are not influencing things

User needs – Parties – Defendant (cont.)

User Group	Stage	Need
Defendant	**Hearing (cont.)**	• During the hearing, I want to see and hear who is there so I can understand what is happening and know if I have support there
		• I want the hearing to be quick and fair, so I do not feel excluded or have to wait around if there are delays
	Outcome	• After my hearing, I want to speak to someone I trust to tell me what happened and what happens next, so I feel more assured and know what to expect

User needs – Parties – Defence

User Group	Stage	Need
Defence	**Pre-charge**	• I need to feel confident I will be financially compensated for my advocacy before I offer my services, so I am able to concentrate on offering my client the best service I can
	Post-charge	• During my initial client consultation, I need to build trust and confidence with my new client, so I am able to understand their situation and needs to advise them accordingly
	Pre-hearing	• I need to have all case information quickly and easily accessible so I am not delayed in my preparation and can present the best case for my client
		• I need to easily interact with CPS in a timely and confidential way so I know their case position and prepare my clients case effectively
		• I need to have time and space to order to consult with my client privately so we are able to discuss credit, plea, I can prepare case management if needed and my client understands their situation
		• I need to know when my client's case will be heard so I can plan my preparation effectively, manage my other cases better and not waste time waiting for hearings to start
	Outcome	• Once a hearing ends, I need time to be able to confidentially debrief with my client so I can advise them of what happened and the next steps

User needs – Parties – CPS

User Group	Stage	Need
CPS	**Pre-charge**	• At the point of decision to charge, I need to have information from police that's timely, accurate and standardised so I can review the evidence and make charge and remand decisions effectively
	Pre-hearing	• On the day and before 10am, I need more time to review case information so I do not need to continue case preparation during and between hearings
		• On the day and before 10am, I need to have all police information easily accessible so I am not delayed in my preparation waiting for further documentation or evidence
		• On the day, I need to easily interact with defence solicitors in a timely way so I know their case position and prepare the Crown's case effectively
		• On the day, I need to know the list order so I can plan my preparation effectively, prioritise cases better and have my work easier to manage through the day
	Hearing	• On the day, I need to be able to interact with CPS and other agencies, so I am aware of the next cases being heard and I have all the evidence and information I need to present the best case possible
		• On the day, I need to know I am safe and secure from defendant family and supporters so I can concentrate on conducting my job in confidence
		• Before the next case is heard, I need time to be able to write up the outcome of the previous case and prepare so I am ready to present

User needs – Courts – Virtual Court Officer

User Group	Stage	Need
VCO	**Pre-hearing**	• I need to feel confident I will be financially compensated for my advocacy before I offer my services, so I am able to concentrate on offering my client the best service I can
		• I need to be able to quickly identify and contact defence solicitors who have been allocated as advocates to cases late so I can arrange consultations
		• I need control of an adequate number of private and confidential spaces to arrange consultations between defence solicitor and client so hearings can go ahead without delays
		• I need to know the list order so I can plan consultation and hearing connections effectively and have my work easier to manage through the day
		• I need to easily interact with CPS in a timely and confidential way so I am able to exchange case information and evidence that may have an impact on the case
		• I need to be able to interact with other agencies during the day, so I am aware of same-day cases and parties being case ready so I can prioritise the list and ensure cases are heard efficiently
		• If remand hearings are split into more than one court, I need to be able to communicate with CPS and other agencies as well as record the result for each hearing so I do not have to chase
	Outcome	• I need to know the result of hearings, so I am able to record the outcome for my record and concentrate on the next hearing in the list

Virtual Remand Hearings   **Reform**

User needs – Courts – Legal Advisor

User Group	Stage	Need
Legal Advisor	**Pre-hearing**	• I need to be able to quickly identify defence solicitors who have been allocated as advocates to cases so I can minimise delays and plan hearings for all cases in the most efficient and effective way possible
		• I need to have information on linked warrants and cases, so I can inform the judiciary on matters that may affect the case, decision or outcome
		• I need to have defendant information so I can prioritise hearings from the list that should be heard first
		• I need to know the list order so I can plan hearings to be heard effectively, prioritise cases better and have my work easier to manage through the day
		• I need to be able to interact with other court staff and agencies during the day, so I am aware of same-day cases, late information and parties being case ready so I can prioritise the list and ensure cases are heard efficiently
	Hearing	• I need to be confident that the right parties are appearing for the right hearing, so I am able to ensure the hearings are efficient and effective in the application and procedure of the rule of law
		• I need to be able to speak to, see and hear all parties during the hearing, so I am confident that communication is clear, the hearing structure is maintained, the judiciary have the information they need and I can advise them as necessary

User needs – Courts – Judiciary

User Group	Stage	Need
Judiciary	**Pre-hearing**	• I need both parties to have the information they require so they are case ready and there are fewer delays in hearings able to begin
		• I need both parties to be prepared for case management should the case be advanced, so the hearing can progress effectively and the bench can make a decision
		• I need to have information on history, linked warrants and cases, so I have all the information to hand that may affect the case, decision or outcome
		• I need to have minimal delays to hearings starting so we can progress efficiently and effectively and I do not feel I am letting down the community I am serving
	Hearing	• I need to have the case information easily accessible at the start of the hearing, so I understand the case details, can ask the right questions and have confidence in the bench's decision
		• I need to be able to clearly speak to, see and hear all parties during the hearing, so I am confident that communication is clear, parties understand what is happening, my questions are answered, the hearing structure is maintained and I am able to make a decision the bench is confident in
		• I need parties to show respect to the court so the hearing is effective, order and structure is maintained and justice is seen to be served

User needs – Courts – Probation

User Group	Stage	Need
Probation	**Pre-hearing**	• Before the hearing and from 9:30am, I need time, space and opportunity to interview the defendant so I can make a measured, confident decision around their bail situation.
		• Before the hearing and in cases of a guilty plea, I need time and evidence to complete my pre-sentence report and consider the right intervention so judiciary have the information they need to make a decision.
		• Before the hearing, I need to interact with defendants in a way I can confidently assess them and their situation so I am able to find alternatives to remand if possible.
	Pre-hearing and hearing	• By 9:30am and throughout the day, I need to speak to CPS, defence, court staff and other agencies to discuss the list and cases so I am able to manage my cases and workload more effectively.

User needs – Police – Custody Sergeant

User Group	Stage	Need
Custody Sergeant	**Pre-charge**	• I need to have solicitors easily contactable so I can reduce the amount of time it takes for consultations, interviews and charges to happen and enable defendants to be moved on quicker
		• I need the CPS to return their charging decision and guidance quickly so defendants can be charged and remand cases heard more efficiently
	Pre-hearing	• I need to have visibility on when hearings will take place so I know when defendants will be moved on, if I should accept further defendants into my custody and manage existing risks more effectively
		• I need adequate resources to cope with higher numbers of individuals appearing at hearings remotely so I am able to manage additional associated risks in my custody suite
	Hearing	• I need the court to conduct hearings for longer periods so more defendants can be bailed or remanded quicker and I have less defendants in custody overnight
	Outcome	• I need to be able to hand over remanded defendants, those appearing in court physically and bailed defendants in a quick, safe and efficient way so I am confident we are managing risks and I am able to control my custody suite effectively

User needs – Police – Detention Officer

User Group	Stage	Need
Detention Officer	**Pre-hearing**	• I need to have visibility of when consultations and hearings will happen, so I can structure and organise my activities better
		• I need more support to help me with managing multiple consultations, hearings, safety checks and administration so I can get things done more effectively and efficiently
	Hearing	• I need the court to conduct hearings for longer periods so my activities are more spread out during my shift and it is easier to manage my work
		• I need virtual hearing suites to feel serious and more like a court, so defendants are less inclined to respond negatively during and after hearings and they are easier to manage afterwards
		• I need virtual hearing suites to enable me to deal with volatile behaviours from defendants easily so I can protect myself and others from harm
	Outcome	• I need the process to allow me to complete post-hearing activities before I can get the next defendant into their hearing, so I don't feel under so much pressure from the court

Appendix:

Volumetric data

Defendants proceeded against at magistrates' courts who were remanded by magistrates, by type of offence and type of remand

England and Wales				12 months ending June						
Defendants						%s				
Type of remand	2013	2014	2015	2016	2017	2013	2014	2015	2016	2017
Indictable only offences										
Not remanded	1,476	1,356	1,241	1,454	2,907	4.8	4.3	4.5	5.4	10.4
Remanded on bail[5]	15,797	16,704	14,586	14,384	14,087	51.4	53.5	52.4	53.7	50.4
Remanded in custody[6]	13,451	13,160	12,034	10,959	10,981	43.8	42.2	43.2	40.9	39.3
Total	30,724	31,220	27,861	26,797	27,975	100.0	100.0	100.0	100.0	100.0
Triable either way offences										
Not remanded	167,958	155,587	147,054	142,089	138,234	42.5	41.2	41.4	43.9	46.1
Remanded on bail[5]	180,084	178,289	167,406	144,634	126,403	45.6	47.2	47.1	44.7	42.1
Remanded in custody[6]	46,692	43,974	40,836	36,830	35,408	11.8	11.6	11.5	11.4	11.8
Total	394,734	377,850	355,296	323,553	300,045	100.0	100.0	100.0	100.0	100.0
Summary non-motoring offences										
Not remanded	454,463	433,107	466,770	504,884	477,002	77.9	77.2	78.2	80.9	82.7
Remanded on bail[5]	116,323	115,663	117,877	107,359	89,558	19.9	20.6	19.8	17.2	15.5
Remanded in custody[6]	12,718	11,937	12,124	11,734	10,391	2.2	2.1	2.0	1.9	1.8
Total	583,504	560,707	596,771	623,977	576,951	100.0	100.0	100.0	100.0	100.0
Summary motoring offences										
Not remanded	518,305	506,101	542,338	564,832	569,839	94.7	95.2	95.8	96.2	96.4
Remanded on bail[5]	27,974	24,836	23,145	21,760	20,231	5.1	4.7	4.1	3.7	3.4
Remanded in custody[6]	965	733	726	771	823	0.2	0.1	0.1	0.1	0.1
Total	547,244	531,670	566,209	587,363	590,893	100.0	100.0	100.0	100.0	100.0
All offences										
Not remanded	1,142,202	1,096,151	1,157,403	1,213,259	1,187,982	73.4	73.0	74.9	77.7	79.4
Remanded on bail[5]	340,178	335,492	323,014	288,137	250,279	21.9	22.3	20.9	18.5	16.7
Remanded in custody[6]	73,826	69,804	65,720	60,294	57,603	4.7	4.6	4.3	3.9	3.9
Total	1,556,206	1,501,447	1,546,137	1,561,690	1,495,864	100.0	100.0	100.0	100.0	100.0

Defendants tried or sentenced at the Crown Court by remand status during trial at the Crown Court by type of offence

England and Wales / Type of remand	Defendants											%										
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Indictable only offences																						
Not remanded	499	621	476	323	71	188	333	340	276	380	576	2.3	2.7	2.0	1.4	0.3	0.9	1.6	1.8	1.4	2.0	3.2
Remanded on bail(6)	8,409	8,566	8,717	9,254	9,549	8,643	7,964	7,451	8,104	7,873	7,777	38.5	37.0	37.0	39.9	40.3	39.7	39.3	39.4	41.9	41.9	43.8
Remanded in custody(7)	12,937	13,975	14,383	13,593	14,048	12,934	11,965	11,122	10,943	10,544	9,387	59.2	60.3	61.0	58.7	59.4	59.4	59.1	58.8	56.6	56.1	52.9
Total	21,845	23,162	23,576	23,170	23,668	21,765	20,262	18,913	19,323	18,797	17,740	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Triable either way offences																						
Not remanded	13,798	14,112	15,149	14,314	15,390	17,427	16,405	15,505	13,822	14,942	16,231	18.8	18.1	18.2	15.6	15.6	18.9	20.7	19.2	16.5	18.3	21.9
Remanded on bail(6)	37,512	41,186	43,940	51,505	54,173	47,727	39,790	39,351	42,174	40,728	35,237	51.2	52.7	52.7	56.1	55.0	51.8	50.1	48.8	50.4	49.8	47.6
Remanded in custody(7)	21,936	22,864	24,227	25,926	28,891	27,002	23,240	25,781	27,698	26,153	22,483	29.9	29.3	29.1	28.3	29.3	29.3	29.1	32.0	33.1	32.0	30.4
Total	73,246	78,162	83,316	91,745	98,454	92,156	79,435	80,637	83,694	81,823	73,951	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary non-motoring offences																						
Not remanded	665	874	1,215	1,375	1,698	1,803	1,538	1,510	1,437	1,607	1,488	18.5	21.6	27.5	24.1	27.9	33.5	34.6	33.9	30.2	32.6	33.6
Remanded on bail(6)	2,123	2,338	2,351	3,242	3,159	2,577	2,019	1,830	2,083	2,081	1,895	59.0	57.8	53.1	56.7	51.9	47.8	45.4	41.1	43.8	42.2	42.7
Remanded in custody(7)	812	835	858	1,097	1,229	1,006	887	1,111	1,234	1,241	1,052	22.6	20.6	19.4	19.2	20.2	18.7	20.0	25.0	26.0	25.2	23.7
Total	3,600	4,047	4,424	5,714	6,086	5,386	4,444	4,451	4,754	4,929	4,435	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Summary motoring offences																						
Not remanded	295	376	422	403	445	409	355	314	313	432	537	34.6	35.6	41.4	43.8	47.0	49.6	53.0	52.5	48.0	54.7	56.1
Remanded on bail(6)	397	533	466	421	410	326	250	217	268	285	336	46.5	50.5	45.7	45.8	43.3	39.6	37.3	36.3	41.1	36.1	35.1
Remanded in custody(7)	161	146	131	96	92	89	65	67	71	73	84	18.9	13.8	12.9	10.4	9.7	10.8	9.7	11.2	10.9	9.2	8.8
Total	853	1,055	1,019	920	947	824	670	598	652	790	957	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
All offences																						
Not remanded	15,257	15,983	17,262	16,415	17,604	19,827	18,631	17,669	15,848	17,361	18,832	15.3	15.0	15.4	13.5	13.6	16.5	17.8	16.9	14.6	16.3	19.4
Remanded on bail(6)	48,441	52,623	55,474	64,422	67,291	59,273	50,023	48,849	52,629	50,967	45,245	48.7	49.4	49.4	53.0	52.1	49.3	47.7	46.7	48.5	47.9	46.6
Remanded in custody(7)	35,846	37,820	39,599	40,712	44,260	41,031	36,157	38,081	39,946	38,011	33,006	36.0	35.5	35.3	33.5	34.3	34.2	34.5	36.4	36.8	35.7	34.0
Total	99,544	106,426	112,335	121,549	129,155	120,131	104,811	104,599	108,423	106,339	97,083	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Virtual Remand Hearings   **User Experience**

Defendants for trial by court type, type of remand and outcome of proceedings - Volumes

Table Q4.4 - Defendants[1][2][3] for trial by court type[4], type of remand and outcome of proceedings, 12 months ending June 2017

England and Wales	Magistrates' courts				The Crown Court[5]		
	Not remanded	Bailed[6]	Remanded in custody[7]		Not remanded	Bailed[6]	Remanded in custody[7]
Outcome							
	Defendants						
Acquitted, dismissed, not proceeded against etc.	122,978	57,123	5,720		223	11,160	4,045
Convicted:							
Immediate custody[8]	23,579	10,522	9,329		9,373	11,366	23,921
Suspended sentence	15,965	15,544	2,431		5,202	13,858	2,450
Community sentence[9]	47,535	43,356	2,389		1,565	3,884	725
Fine	879,085	27,207	1,697		726	917	82
Absolute discharge	3,291	686	86		19	50	19
Conditional discharge	37,128	12,006	800		235	884	180
Compensation	3,609	1,106	143		9	21	2
Otherwise dealt with[10]	7,004	2,663	622		891	963	967
Total offenders sentenced	1,017,196	113,090	17,497		18,020	31,943	28,346
Committed for sentence	158	13,070	7,670		*	*	*
Committed for trial	583	47,908	25,857		*	*	*
Failed to appear	47,067	19,088	859		589	2,142	615
Total	1,187,982	250,279	57,603		18,832	45,245	33,006

Virtual Remand Hearings **User Experience**

Defendants for trial by court type, type of remand and outcome of proceedings - Volumes (%)

Table Q4.4 - Defendants[1][2][3] for trial by court type[4], type of remand and outcome of proceedings, 12 months ending June 2017

England and Wales

Outcome	Magistrates' courts Not remanded	Bailed[6]	Remanded in custody[7]		The Crown Court[5] Not remanded	Bailed[6]	Remanded in custody[7]
	Defendants						
Acquitted, dismissed, not proceeded against etc.	10.4	22.8	9.9		1.2	24.7	12.3
Convicted:							
Immediate custody[8]	2.0	4.2	16.2		49.8	25.1	72.5
Suspended sentence	1.3	6.2	4.2		27.6	30.6	7.4
Community sentence[9]	4.0	17.3	4.1		8.3	8.6	2.2
Fine	74.0	10.9	2.9		3.9	2.0	0.2
Absolute discharge	0.3	0.3	0.1		0.1	0.1	0.1
Conditional discharge	3.1	4.8	1.4		1.2	2.0	0.5
Compensation	0.3	0.4	0.2		0.0	0.0	0.0
Otherwise dealt with[10]	0.6	1.1	1.1		4.7	2.1	2.9
Total offenders sentenced	85.6	45.2	30.4		95.7	70.6	85.9
Committed for sentence	0.0	5.2	13.3		*	*	*
Committed for trial	0.0	19.1	44.9		*	*	*
Failed to appear	4.0	7.6	1.5		3.1	4.7	1.9
Total	100.0	100.0	100.0		100.0	100.0	100.0

HM Courts &
Tribunals Service