JUSTICE

THE DIGITAL STRATEGY FOR JUSTICE IN SCOTLAND

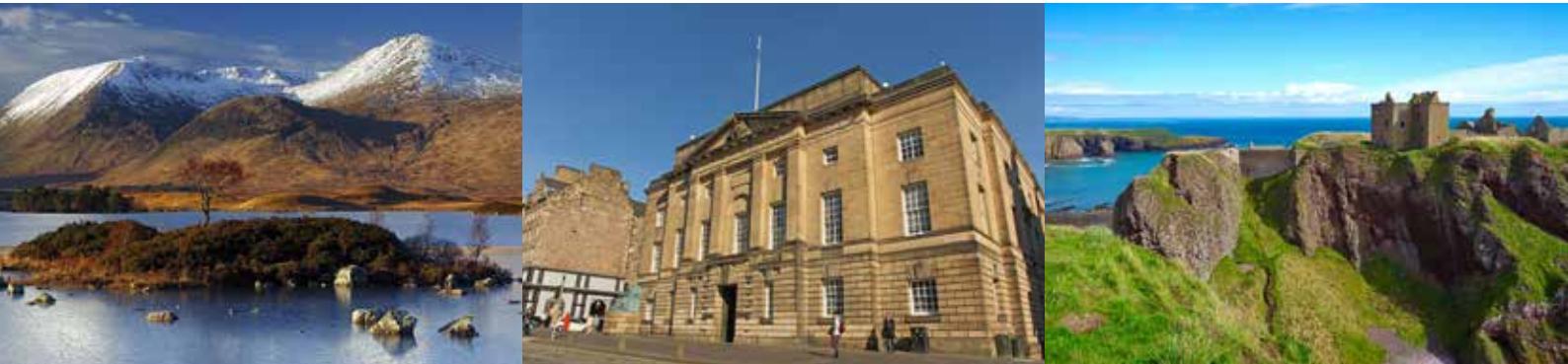Digital Scotland

safer scotland
SCOTTISH GOVERNMENT

Contents

Introduction

Reform of the justice system is at the heart of Scottish Government's public service reform agenda. We want to create a more successful country, with opportunities for all to flourish through increasing sustainable economic growth. To contribute to that aim, **The Strategy for Justice in Scotland** looks to create an inclusive and respectful society in which people and communities live in safety and security; where individual and collective rights are supported and disputes are resolved fairly and swiftly.

To achieve our aims in a digital world, our justice systems need to embrace digital technology – we need to look beyond traditional methods and transform how we think; how we engage and how we deliver services to citizens and users.

Our strategy supports **Scotland's Digital Future: Delivery of Public Services, Central Government Strategy** and the justice sector will be early adopters of a number of the digital initiatives arising from this strategy. We will adopt a digital first approach to transform how we do business, improving ourselves and our services to create open, transparent, accessible justice systems which respond to changing circumstances. It will also allow us to serve and protect citizens in a more intelligent and proactive way.

We want to use digital technology wherever possible to broaden access to justice, improve quality of service and safeguard the rights of citizens and users. By digitising our justice systems and operating efficient processes, we can at the same time lower our costs.

Delivering these outcomes cannot be done in isolation. We will continue to take a collaborative approach. Justice organisations, the broader public, private and voluntary sectors will all need to work together to deliver our aims.

Our justice systems are changing and so is what can be done using digital technology. We want to be at the forefront of this innovation and use the opportunities that new digital solutions bring. We will, then, continually review this strategy and revise the objectives and targets we have set and deliver with pace the changes which our users expect.

Scope

This strategy covers the full extent of administrative, civil and criminal justice.

More than seventy separate public organisations are involved in these systems at a cost of over £2 billion per annum (Figure 1). Hundreds of thousands of individuals come into contact with these systems in any given year plus a large group of organisations in the voluntary and private sector.

Despite the necessary independence of some of our bodies and organisations, they share a common aim to deliver fair and equitable justice for the people of Scotland. That creates an interdependence within our justice systems which must be taken into account in providing modern digital services in the future.

Across our justice systems, and once having implemented what we have set out in this strategy, we estimate that we could save in excess of £20 – £25 million annually by operating fully digitised justice systems.

Administrative Justice
Scottish Tribunals & Administrative Justice Advisory Council
Scottish Tribunals Service
Tribunals & Tribunals Members
Scottish Public Services Ombudsman
Alternative Dispute Resolution
Mediation
Arbitration
Children's Hearings
Administrative Legal Aid
Legal Profession
Scottish Law Commission
Local Government

Health & Social Care

Education

Criminal Justice
Victims
Policing
Prosecution
Accused
Legal Profession
Criminal Legal Aid
Criminal Courts & Judiciary
Scottish Law Commission
Witnesses
Jurors
Criminal Justice Social Work
Fire & Rescue Service
Voluntary Services
Community Justice Authorities
Prisons
Scottish Criminal Cases Review Commission
Parole

Civil Justice
Party Litigants
Advice Sector
Debt & Bankruptcy Services
Local Government
Legal Profession
Online Dispute Resolution Service
Alternative Dispute Resolution
Mediation
Arbitration
Civil Legal Aid
Civil Courts & Judiciary
Scottish Law Commission
Jurors
Witnesses
Scottish Civil Justice Council
Registers of Scotland
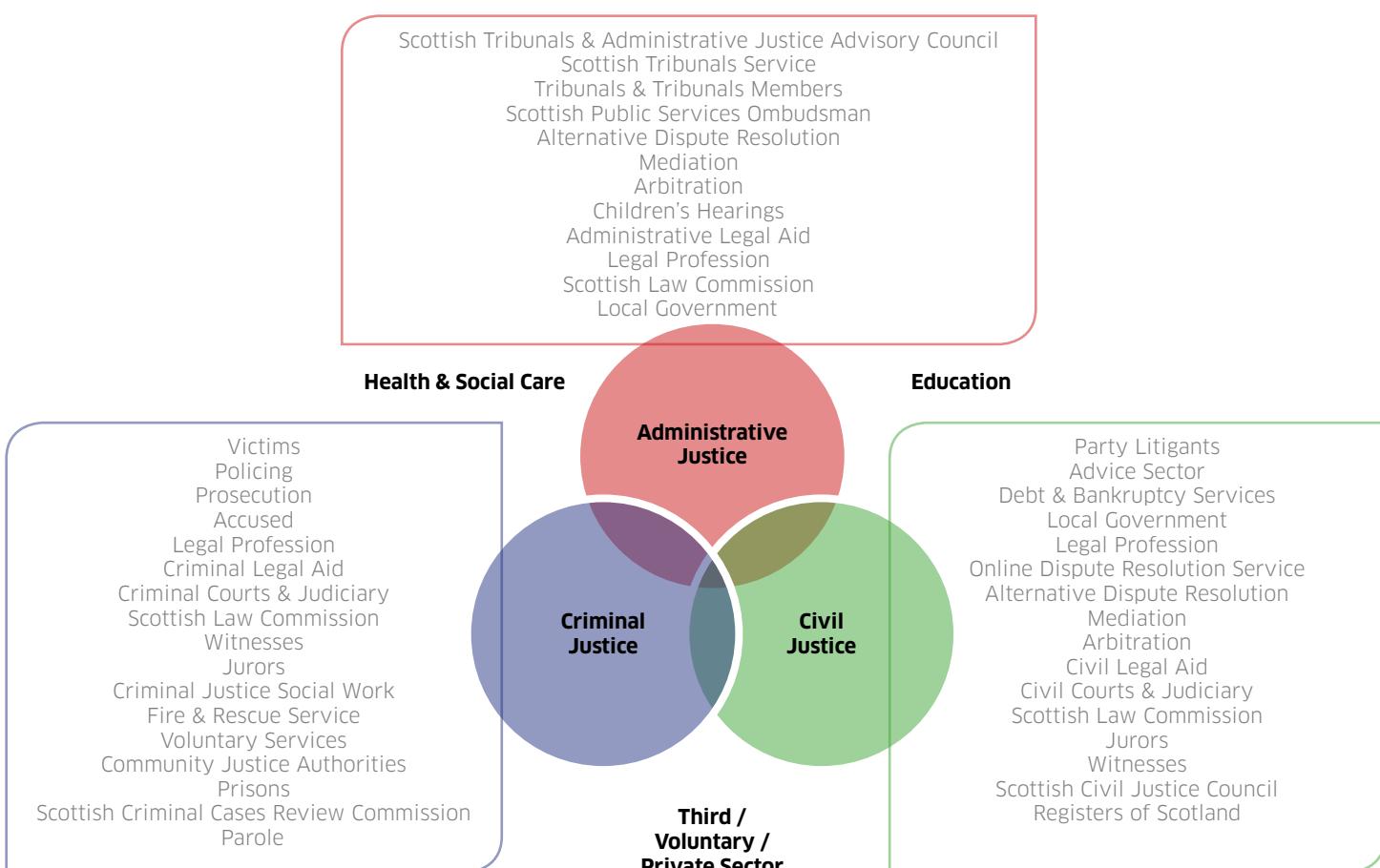
Third / Voluntary / Private Sector

Figure 1: Our Justice Stakeholder Map

Our Users

We want to have a system of justice that understands and meets the needs of our users.

Our users want to feel valued and respected, and have their diverse needs met without unnecessary time and delay. They want our justice systems to be visible, transparent, fair and open to all. They want access to information which allows them to resolve problems and disputes without referring them to the courts. Where legal advice is needed, they want affordable advice and support where the cost of legal services is transparent and regulated.

Our Vision

Despite the complexity of our justice systems and the varying interests and demands of its users, our vision is simple.
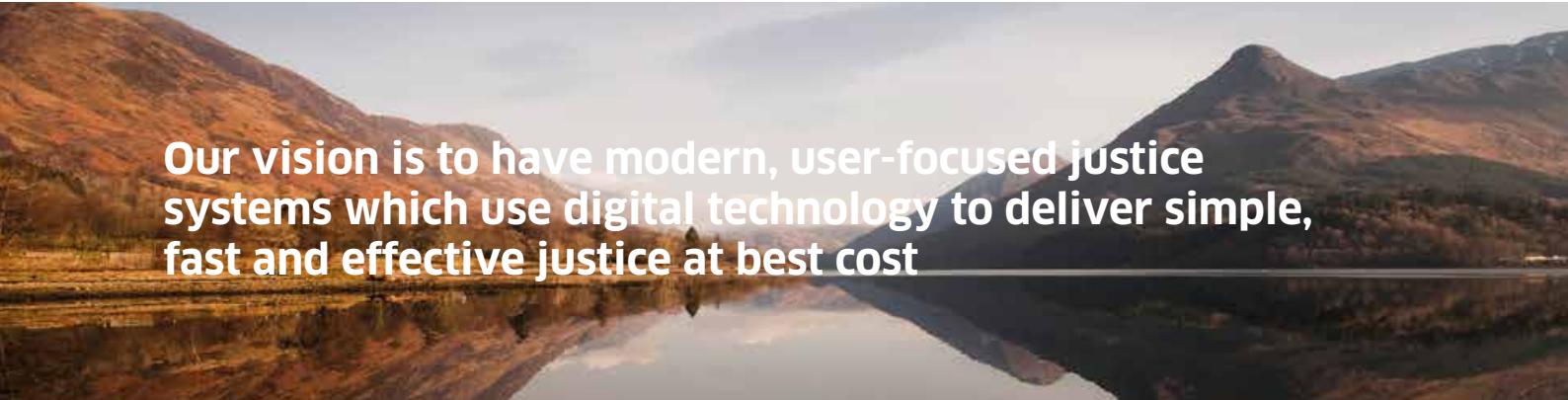
Our vision is to have modern, user-focused justice systems which use digital technology to deliver simple, fast and effective justice at best cost

Building from a strong base

We are not starting from a blank canvas, in fact significant progress has been made in using digital technology to improve our services, and the experiences of users.

In 1996 we Integrated Scottish Criminal Justice Information Systems (ISCJIS) allowing core information to move digitally from one part of the criminal justice system to another.

In 2011, the Scottish Legal Aid Board introduced electronic submission of legal aid applications. Now all civil and criminal legal aid applications are submitted and approved online which in 2011-12 provided an efficiency saving of £387,000.

In 2012 the prisoner data hub won the public sector award at the Scottish Digital Technology Awards. Over 90% of accused held in custody are now appearing in court saving over £3 million per annum in time releasing savings.

Elsewhere in criminal justice, Scottish Legal Aid Board, Police Scotland, Scottish Court Service and Scottish Prison Service have introduced live video conferencing TV links allowing agents to speak with clients without having to attend prison. The accused and offenders can also appear at court without having to be transported from police stations and prisons. The Crown Office and Procurator Fiscal Service is disclosing information digitally to agents and sending text reminders to witnesses reminding them of impending trial dates.

The Scottish Court Service is also piloting electronic jury management, allowing people who have been cited for jury service to correspond in writing or digitally. So far, 79% of people have chosen to use the digital jury portal.

The administrative and civil justice systems are less sequential than criminal justice and more responsive to people and businesses engaging with different parts of the system at different times. Technology has however played an important role. The Scottish Tribunals Service has, for example, been working with a number of hospitals across Scotland piloting live video conferencing TV links in mental health tribunals. The collaborative pilots allow tribunals to proceed with patients video conferencing from the comfort of familiar and secure surroundings, rather than being transported under supervision to appear in person.

While we have made good progress, we recognise the need to do much more and to do that we need to continue taking a collaborative whole system approach to transform our justice systems.

Objective 1

Allow people and businesses to access the right information at the right time

Through mygovscot (the national public facing domain and publishing route) we will develop a justice public information portal that will provide:

- information on the wide range of areas of interest to individuals and businesses, to inform their decisions on day-to-day life, and help them resolve any disputes that may arise;

- interactive online systems and online dispute resolution, and links to independent advisors and professionals, to assist in decision-making and dispute resolution; and

- advice on how to access the information relevant to your case, the process to be followed and the means to enable submission of applications, pleadings and digital evidence.

User Benefits

- Our public information platform will widen access to justice and allow people and businesses to get, in one easy to find place, the right information they need, when they need it. Time will be saved, costs will be lowered and the availability of consistent, quality information will allow better choices to be made.

- For example, in the Children's Hearing System, families will be able to obtain information on what the system is, how it works, how and when they can interact with it, their rights before a hearing and the services available to support their child and themselves through the experience. Similarly, couples splitting-up will be able to find information on their respective rights and obligations, and have access to online mediation services.

- People and businesses will be able to access clear information on how our justice systems work, allowing them to make informed choices about the most appropriate and affordable method to resolve problems and disputes.

- We will provide online help and support for users who cannot resolve problems on their own. As a possible alternative to raising a civil action in court, we will put in place alternative dispute resolution arrangements including online mediation and arbitration services.

How and When

- We will work in partnership with the Scottish Government Digital Directorate to establish our route to publishing public facing information 'into' and services 'onto' the mygovscot platform. We will start by providing information on housing before the end of 2014 to help people resolve housing disputes.

- By the end of 2015, we will provide advice and guidance on a range of subjects. We recognise that social inclusion is an integral part of our strategy and a small but important majority of people simply will not be able to access our digital services. We will then work with those in the social sector to make sure that these people receive the same level of help, support and advice using a means suitable to them.

- We will migrate or redesign our public facing information content currently on our justice websites to mygovscot before the end of 2015.

- We will utilise Scottish Government standards and guidelines to ensure that user needs are at the heart of information and service design. By the end of 2016, we expect to provide all static justice advice and guidance on our platform. By the end of 2017 our platform will have evolved into an interactive tool providing online help and support.

- Through the public information portal, by the end of 2017 civil litigants, Tribunals users and victims of crime will be able to track their case.

Objective 2

Fully digitised justice systems

By fully digitising our justice systems, we will provide:

- digital recording of evidence, reports, decisions and judgments, including submission of pleadings and the use of digital warrants;
- live video conferencing TV links throughout our justice systems, supporting people and organisations;
- a secure digital platform to store all information relevant to a case or individual in one secure location. The data retained will conform to agreed standards of quality and security, and will be able to be relied upon by users without the need for further manipulation. Everyone will be able to access the information they need, when they need it. This will be available for use by Police Scotland, Crown Office and Procurator Fiscal Service, Scottish Court Service, Scottish Legal Aid Board, legal and other professionals, local government, witnesses, jurors, third sector organisations, individuals and businesses.

User Benefits

- Greater use of live video conferencing TV links will allow agents to speak with their clients without physically meeting them. Court diets can proceed using live video conferencing TV links thereby reducing distress for some of our participants and being more convenient for witnesses, police, lawyers and courts. It will also substantially reduce our carbon footprint and speed-up our criminal justice system.

- Courts and tribunals will go ahead without some participants having to travel to court and appear in person.

- Digital warrants, interlocutors, opinions, decisions, etc. can all be served more securely and quickly than using traditional paper methods.

- Crown Office and Procurator Fiscal Service will disclose all information electronically to defence agents.

- In the future, prisoners will be able to access digital learning online and arrange benefits, housing and healthcare before they leave prison. Families and friends will be able to book prison visits online. Once our systems are able, some prison visits will be held via live video conferencing TV link. This will not only save time and money for prisoners, their family/friends and the Scottish Prison Service, but it will also increase the likelihood of the prisoner retaining links with their support network and community.

- Agents will be able to interact with our justice systems more easily so they can get the information they need at a lower cost to them.

- Scottish Court Service will create and operate stable, secure wi-fi in all court buildings allowing prosecutors, agents and the judiciary to access digital files when necessary.

- Capturing and storing evidence digitally should shorten court process and time, and speed-up trial diets and hearings. This will provide savings for agents, Police Scotland, Scottish Legal Aid Board, Crown Office and Procurator Fiscal Service, Scottish Court Service and Scottish Prison Service.

- Use of electronic means to create and intimate warrants, interlocutors, opinions, decisions, etc. enables secure delivery and savings on time, paper and postage costs. Electronic warrants will save time for Police Scotland, Scottish Legal Aid Board, Crown Office and Procurator Fiscal Service, Scottish Court Service, agents and the judiciary.

- Body-worn cameras will allow Police Scotland to secure additional evidence and thereafter share information more effectively. This will allow officers on our streets to make better operational decisions, increase safety for themselves and the public, and increase opportunities to prevent and detect crime.

Objective 2

Fully digitised justice systems

User Benefits (continued)

- In criminal cases, Scottish Prison Service and social workers will all have access to, and operate the same digital information. Other professional users such as healthcare officers will use the public information portal to interact with prisoners.

- By digitising and operating electronic case management systems, citizens and users can be confident that the information we hold is safe and secure, and will only be shared with those who have authority to see it.

- Our collaborative approach of storing information once, and sharing many times, will mean that the data we hold is always up to date and can be used consistently across our justice systems.

- It will provide increased interoperability of technology across Police Scotland, justice organisations and the wider public sector.

- Digitising our case management systems and courts will reduce our reliance on insecure paper systems, and lower costs to users and those working in our justice systems. It will also make our systems and processes more resilient, and allow our technical solutions to evolve from one generation to the next without requiring wholesale replacement.

How and When

- By the end of 2016, we will be using myaccount (a secure and easy way to access public services online) for signing-in to all public facing online justice services. Using government and industry standards, we will also have created our justice digital platform, providing a single technical solution for security, web presentation, mobile applications, short messaging service, payments, live video conferencing TV links and portal applications. Live video conferencing TV links will be available in all courts to agreed national technical standards.

- By the end of 2016, we will have created a digital evidence vault to securely store all documents, audio, pictures and video content, preserving citizens' privacy. We will also have completed a business case exploring how we can further digitise our devolved Tribunals and the Children's Hearing System.

- Police Scotland has already started to integrate the ICT systems of the eight legacy police forces. By the end of 2016, the police will be operating a single secure ICT network allowing them to operate more effective digital systems in force and improve how they share information with other justice organisations.

- We will develop a business case exploring how we can further digitise our criminal justice system (including offender management and parole where appropriate). We will look to see how we can share information more effectively with those who should have access to data while always preserving citizens' right to privacy.

- By the end of 2016 we will have introduced a new civil justice case management system and introduced wi-fi in all court buildings.

- Police Scotland has commissioned a full business case to determine the precise policy, practical and fiscal requirements of body-worn video cameras, utilising as up-to-date technology as possible, with the intention of implementing a national roll-out thereafter.

Objective 3

Make data work for us

By using data analytics and data analysis to predict future patterns, we will:

- not only deliver the changes we are looking for now, but will drive further transformation as the capabilities offered by digital technology are understood and grow. This is particularly the case in relation to data analysis;
- link securely to other sectors including health, social care and education allowing us to further target where we allocate public expenditure and grant funding; and
- regularly engage with citizens and users, and seek comment on their confidence and experience in our justice systems.

User Benefits

- Data analytics will allow us to paint a picture of citizens and their needs, and predict patterns of behaviour and prevent crime.
- Development of data analytics will improve the safety and wellbeing of citizens through intelligence led crime prevention, detection and enforcement.
- Services and information for the public will be further improved (e.g. providing the answers to most frequently asked questions first).
- There will be further savings of time and money for individuals, businesses and organisations.

How and When

- As soon as the public information portal is available, we will seek the views of citizens and users, and understand their experiences of our justice systems and use this feedback to continuously improve our digital services.
- By the end of 2016, the police will be operating a single secure ICT network, allowing them to operate integrated intelligence systems, and improve how they share information with other justice organisations.
- By the end of 2016, we will be using data analytics to further predict patterns of behaviour and proactively reduce offending and reoffending in our communities.

Our Values

When taking these changes forward, we will – at all times – value and respect our users and the independence of the people and organisations who work in our justice systems. We will respect the diversity of our society and treat citizens and their rights equally. Part of that will be recognising that not everyone will have access to digital services or the ability to use them.

Whether or not you are online, everyone has an equal right to justice. Therefore, when developing digital services we will ensure that there is an appropriate alternative route for offline users to continue to access justice. We will also work with third sector organisations who support vulnerable individuals to ensure that we have a full understanding of how they can best access justice services.

Providing support for vulnerable individuals to enable them to use digital services is key to ensuring that nobody is excluded from accessing justice in Scotland.

Our Principles

We will take a collaborative approach to carrying forward work to achieve this digital strategy and will follow these principles:

- we will endeavour to use common digital standards and protocols to shape our technical solutions and make sharing of information easier, quicker and more cost effective;

- we will endeavour to use open standards and protocols, if appropriate, to increase interoperability of technology across justice systems and the wider public sector;

- we will look to adopt and adapt the solutions of others first before procuring new products. Where we do need to buy new, we will support a lead organisation to research, develop and build solutions which others can adopt, alter or enhance more easily and at less cost;

- we will streamline common information by storing once and sharing many times. This will lower costs and allow our technical solutions to evolve from one generation to the next without requiring complete replacement;

- where security levels are satisfied and where it is economically efficient to do, justice organisations will look to consolidate their datacentres and operate reciprocal back-up arrangements;

- we will migrate to the Scottish Wider Area Network (SWAN) as the primary network to share information where it is to the advantage of citizens and users, where security levels are satisfied and where it is economically efficient to do so;

- we will work in partnership with the Scottish Government Digital Directorate to establish our route to publishing public facing information 'into' and services 'onto' the mygovscot platform;

- we will use myaccount for signing-in to all public facing online justice services. Using government and industry standards, we will create our justice digital platform through mygovscot providing a single technical solution for security, web presentation, mobile applications, short messaging service, payments, live video conferencing TV links and portal applications;

- the systems devised will be sustainable and try to migrate from one support system to another as improvements are made in the digital market; and

- we will revisit and revise the Justice Digital Strategy over time to take account of changing circumstances and improvements in digital capability.

Making it Happen

We recognise that delivering the strategy will be complex but our justice organisations and partners have a history of working together and this will continue during the implementation of the strategy. We recognise the important role which the legal profession and advice sector have in this and we will work closely with them to deliver our objectives.

In support of our vision for justice, the Justice Board has already established arrangements to:

• align organisations' corporate plans, including assumptions;

• ensure shared evidence, research and statistical analysis and linked ICT systems;

• co-ordinate internal and external communications; and

• ensure a strategic approach to financial planning and investment.

We want to build on these arrangements as we move into the detailed design and implementation phase. Specifically we will:

• use our existing governance arrangements to support the delivery of the strategy and allow for cross justice decision making and resource allocation;

• create cross sector investment mechanisms to fund shared projects;

• create forums with key justice user groups and their representatives to ensure their views are at the heart of the design of new services and solutions;

• continue with the Heads of ICT Forum created to inform this strategy to develop our technical solutions; and

• use strict programme and project management arrangements using the right expertise to deliver our key objectives.

Legislation

Across many services, legislation passed before the growth of digital technology constrains what we plan to do. We will collaborate in identifying legislative obstacles and remove them as soon as is practicable. In the interim we will get on with delivering our digital solutions with a view to realising the full potential for digitisation at the earliest opportunity.