

BEDFORD ROW

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Digitising the Criminal Justice System

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Introduction

- Differences between English and German criminal court structures
 - The start of the process of digitisation and the rationale for change
 - Roles of the relevant bodies
 - Principal areas of development
 - Outline of the current system
 - Proposals for further development
 - Challenges and benefits
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'English' Trial Process

- adversarial system with a judge and jury
 - judge plays no part in determining the facts
 - the jury decide on the verdict
 - the judge decides what should be heard by the jury
 - lawyers are split into solicitors and barristers
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The start and the rationale

- started in 2011
 - all about reducing costs
 - first contacts with the Crown Prosecution Service [CPS]
 - change began with them
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Roles of the relevant bodies

- CPS – prosecutor
 - The Court Service [HMCTS]
 - The Prison Service
 - Defence lawyers- solicitors and barristers
 - Prosecuting barristers
 - No judges
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Areas of development

- 'virtually attendance' at court
 - evidence by video link
 - wireless networks in all court buildings
 - electronic presentation of evidence
[EPE]
 - electronic service of evidence
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Our current system

- secure email system – not ideal
 - an online depository, or Cloud
 - used and adapted existing document -bundling software to create the Crown Court Digital Case System
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The CCDCS - how it works

- .pdf based
 - bundle uploaded to the Court
 - papers could be 'served'; that is provided to the defence
 - can download or work on the papers in the Cloud
 - but how would they be legally 'served' on the defence?
 - we changed the rules for service of documents
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Security

- CPS use the government intranet
 - other users register for a secure email address
 - that provides the credentials to register for the CCDCS
 - access to a case by being “invited” by the prosecutor
 - registered user with access can “invite” another user
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Further development

- the Common Platform
 - correspondence replaced by online interaction
 - applications made online and decisions emailed
 - pre-trial issues identified online and resolved by oral submissions in court
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Challenges

- would the software be reliable?
 - would access be reliable?
 - would the software be difficult to use?
 - the software has turned out to be very stable
 - so far access has never been a problem
 - simple pdf technology can be used by anyone with a browser and free .pdf software, like Adobe Reader.
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Benefits

- fully searchable; content can be copied and pasted into other documents.
 - available all the time
 - no longer have to transport files.
 - the defence can upload private
 - can work online or and work on it offline
 - free document management system
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Reasons for success.....?

- not too ambitious; used and then adapted software that already existed
 - the whole process was run by a fairly small group of people
 - The process was user-led and not techie led, - with very sympathetic technical support
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Conclusion