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BEDFORD ROW

W05

# Digitising the Criminal Justice System

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# Introduction

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- Differences between English and Swiss 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

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- 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

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- 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

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- 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

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- 'virtual' 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

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- 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 [CCDCS]
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# The CCDCS - how it works

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- .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

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- 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

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- the Common Platform
  - multi-media – video evidence can be streamed
  - 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

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- 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

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- fully searchable; content can be copied and pasted
  - available all the time
  - you get notified when new documents are uploaded
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## .....and more

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- 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.....?

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- 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