



# Digital Courtroom: Four Considerations for Local Authorities Adopting Electronic Court Bundles

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## Biography

Co-founder of Egress (<https://www.egress.com>), Tony currently serves as CEO, overseeing all aspects of the business growth and innovation.

Prior to Egress, Tony held executive management positions at Reflex Magnetics, Pointsec Mobile Technologies, and Check Point Software Technologies. A frequent technology and industry speaker, Tony holds a Bachelor of Politics degree, a Software Engineering Master's and is a certified BCS Fellow. Tony sits on industry committees including Intellect's Government Management and Defence & Security Groups.

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## Abstract

*The legal sector is famous for its fondness of paper. For centuries, court cases have been conducted with reference to extensive bundles of documents for every case. However, the drive for digital transformation is now reaching the courtroom thanks to the government-driven £1 billion HMCTS reform programme<sup>1</sup>, aimed at giving citizens a faster, fairer justice system. The replacement of cumbersome paper bundles with electronic alternatives is set to streamline court proceedings, vastly improve security and save time and money.*

## Introduction

There is no doubt that technology is now shaping the legal world. This is welcome news for local authorities, for whom petitions to the family court for the protection of vulnerable children represent significant workload and cost. Family cases have a target for completion of less than 26 weeks, therefore anything that can streamline such a complex and sensitive process is worth the investment. However, as with any digital transformation project, careful planning is required to ensure goals are met and benefits maximised. As they strive to meet the Government's targets for digitisation, here are four key areas that I advise local authorities to consider when making the transition to e-bundles.



### **Balancing cost and efficiency savings**

On average, each local authority petitions a family court 200 times each year. For each petition, highly sensitive case bundles consisting of up to 350 pages are printed, duplicated, collated and couriered to the parties involved. This involves significant costs and administrative outlay to assemble the documents and the cost of a secure courier service. On top of this, as the case progresses, the entire bundle must be continually updated for all parties, involving further time and cost.

The case for a digital alternative is compelling. In fact, Her Majesty's Courts and Tribunals Service (HMCTS) estimates local authorities spend on average £1282.65 and 38.2 hours preparing each bundle, meaning digitisation could eliminate annual costs of around £256,530 and free up 8019 hours of administrative time.

Still, there are costs associated with moving to e-bundles and, while they won't exceed the potential savings, they should be managed appropriately so that the solution represents the best value for public money.

Local authorities should factor in the costs of purchasing and rolling out suitable document production and pagination software, as well as secure sharing technology. The detail of the software licensing model also needs close attention. If sharing software requires all parties to have a licence, costs can quickly escalate when each case can involve six or more people.

If the rollout involves a hardware element – perhaps providing tablets for courtroom use – make sure that the chosen software is device agnostic, so that you can get maximum use from it. Cloud-based software-as-a-service solutions should be considered; they offer flexibility and scalability. It is also important to ask suppliers about their upgrade cycle; will future upgrades be included in your licence? What is the product roadmap?

### **Data protection and access control**

Hard copy court bundles are intrinsically insecure. They are at risk of accidental loss, theft and unauthorised access. When you consider the confidential nature of family court documents and the severity of the consequences if they are compromised, it is clear security must be a primary concern.

This is just as true of electronic court documents. Fortunately, many digital systems offer far greater security and access control, plus the facility to log and audit user activity. Local authorities need to create an environment that has multiple levels of encryption, including at folder and file level. This means that, even if the solution is hacked, the data is rendered inaccessible.

Third parties such as lawyers and social workers will need secure, controlled access to e-bundles. Security policies and procedures must be carefully created so only identified recipients can access files. The ability to amend, download and share files should be restricted to authorised personnel; the system should include a detailed audit facility that logs actions, ensuring compliance with data handling and protection policies.



### **Data archiving and destruction**

The work isn't over once the judge has made their decision. There is still the matter of what happens to all confidential information once the case is closed. A clear benefit of e-bundles is the physical space they free up in offices and storage facilities. As one local authority puts it: "floor space is expensive and best used to accommodate staff." Nevertheless, thought must still be given to how e-bundles will be stored and managed once cases are completed. An electronic solution should offer the facility to automatically restrict user access once a mandated period has expired, with the final iteration being securely stored in case it is needed. Storage should incorporate suitable levels of encryption for data at rest.

### **User adoption – achieving digital transformation**

Despite the cost and efficiency benefits that an e-bundle solution delivers, there is still the issue of change management to consider. Budget should be allocated for familiarisation and training for key users to ensure that the transition is smooth, and that the new system is embraced by all parties. This is where choosing a user-centric, logical platform that supports all stages of the legal process pays dividends. Users should be able to easily prepare, paginate and securely circulate documents and subsequent revisions from a single platform. Professionals should be able to make the same private annotations they would have made on hard copy documents to assist them in the courtroom. Finally, the process of access control, revocation and archiving should be straightforward; anything less than this will lead to user resistance and slow the rate of adoption.

The benefits of adopting e-bundles are clear. However, given the sensitivity of the material involved, it is crucial that encrypting and controlling this data is a primary objective for law firms and in-house teams looking for an e-bundle solution. Therefore, this should be a key priority for these organisations when carefully considering user-centric technology features, licensing, security and storage processes. This will ensure that the vital work of child protection becomes more streamlined, cost-effective and secure.

#### **Reference**

- <sup>1</sup> <https://insidehmcts.blog.gov.uk/2018/02/07/designing-a-public-law-service-to-meet-user-needs/>