**Written evidence submitted by the Personal Injury Committee of Birmingham Law Society**

1. *What will the likely effect of the reforms, both implemented and proposed, on access to justice in relation to:*
2. *Civil justice?*
3. *Family justice?*
4. *Criminal justice?*
5. *Administrative justice, particularly as delivered by the tribunals system?*
6. *Those who are digitally excluded or require support to use digital services?*

The proposed court service reforms are viewed with real concern. The timescale proposes too ambitious when considering the MOJ track record. The removal of physical court buildings and staff will not be replaced by the introduction of digital services.

1. *What are the effects on access to justice of court and tribunal centre closures, including the likely impact of closures that have not yet been implemented; and of reductions in HMCTS staffing under the reform programme? For users, how far can online processes and video hearings be a sufficient substitute for access to court and tribunal buildings?*

The closure of court buildings has had a detrimental effect as well as the reduction in court staff. The delays at Birmingham County Court and Divorce Centres is unacceptable and inappropriate. Litigants in rural areas are expected to travel unacceptable distances. It is difficult to see how the previously expressed concerns had any impact as much warned of this. Vulnerable users either have no equipment to access digital services nor the skill-set to access that platform.

1. *Have the Ministry of Justice and HMCTS consulted effectively on the reforms, and maintained sufficient communication, with;*
2. *Judicial office holders at all levels of seniority?*
3. *The legal professions and the advice sector?*
4. *Other relevant stakeholders?*

The MOJ and HMCTS appear to be very good at consultations but often give unrealistic times for responses, and it does, with respect seem that whatever responses are given, very likely add little to the informed decisions that are made.

1. *Have the Ministry of Justice and HMCTS taken sufficient steps to evaluate the impact of the reforms implemented so far, including those introduced as pilots; and have they made sufficient commitment to evaluation in the future?*

The answer to this is a very clear ‘no’. The recent report on **LASPO** beggars belief. To suggest that the last reforms have assisted in some way, is, frankly staggering and quite ridiculous.

In the personal injury sector LASPO has gifted insurers somewhere in excess of £7 billion pounds while the litigant has had to fund court fees that have increased by up to 620% in some cases and fewer court buildings, less judicial time and a real reduction in damages. Success fees and insurance premiums which were recoverable from insurers have now been gifted back to insurers and fixed costs mean that practitioners are now having to do two to three times the work required for very often a fraction of the fees they could earn previously.

Unfortunately, the perception is that whatever stakeholders say to any proposals advanced, their views are neither taken seriously, nor reflect widely post – consultation.