Ministry of Justice: Transforming our justice system – assisted digital

General Features

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LITRG responds to proposals to move appeals online.

The Ministry of Justice (MoJ) recently consulted on plans to reform the justice system, including introducing an online appeals process. The consultation document can be found on the MoJ website.

The Low Incomes Tax Reform Group (LITRG) response primarily focused on assisted digital support to help people use these new services.

LITRG welcomed proposals to use a range of channels, including face-to-face, telephone and web-chat to help people use the new services and were encouraged by plans to retain the paper channel for those who cannot go online. But the paper channel, along with any other 'alternative', must be as good as what is available online. Face-to-face and telephone support should therefore not only help people get online but should be available for those who need help to complete paper forms – this was something not mentioned in the proposals.

We were reassured by the acknowledgement of the needs of older and disabled people, but pointed out that others might need assistance such as those with English as a second language.

Plans to subcontract face-to-face support to one or more third party organisations raised a concern. Here, we drew an analogy with HMRC's subcontracting of tax credits compliance work to a third party (Concentrix), and the problems recently exposed in the media. From this, we highlighted the importance of having a robust system in place to ensure quality and consistency.

Support must also be provided free of charge and this must be as good as any ‘paid for’ support available elsewhere, eg, through legal representatives who may offer this as part of a wider service. It is not right that those who cannot afford to pay should receive inferior services. Equal access to all – irrespective of age, ability or means – is paramount.

With regard to the digital services themselves, LITRG supported the proposal to move existing services online providing it makes it easier and quicker for people to communicate. We also emphasised there must be an option to ‘switch back’ for those who, although digitally competent now, may not be in the future.

We cautioned against overwhelming people with rapid change by moving too many services too quickly, flagging up how HMRC risk doing just this with their Making Tax Digital proposals. Online services should be introduced gradually, starting with the most basic first.

We pointed out that services must be accessible through new technology such as smart phones as well as through more traditional ways such as computers, and digital support services must be equipped to help people access services in different ways.

We highlighted the importance of publicity which had not featured in any depth in the proposals. People need to understand not only the different options available and the benefits of each but crucially, what support is available to help them do this. To emphasise this, we mentioned the judge’s comments in *LH Bishop Electric Co Ltd and others v HMRC* [2013] that were critical of HMRC’s failure to properly publicise availability of telephone filing which could have been used by those struggling to file online because of age, physical disability or remoteness of location.

LITRG’s full response can be read on the LITRG website.