



Justice Online: are we there yet?

Joshua Rozenberg QC (hon)

**UK criminal
justice**

Half of magistrates courts in England and Wales closed since 2010

Defendants, witnesses, police, lawyers and JPs left having to travel huge distances to court

**Owen Bowcott
and Pamela
Duncan**

Sun 27 Jan 2019
17.57 GMT



3643









LAWGAZETTE.CO.UK

18 FEBRUARY 2019



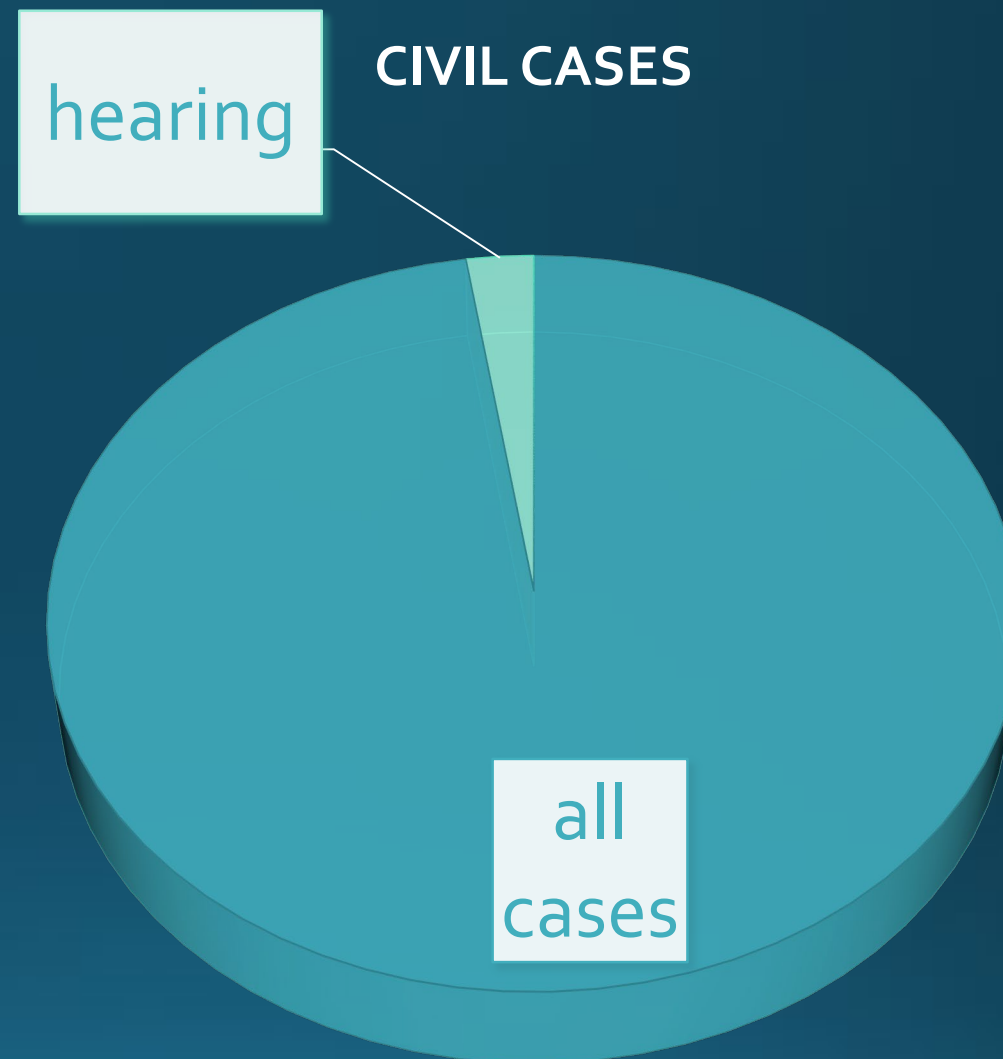
The Law
Society

Gazette

‘We can do better’

HMCTS chief Susan Acland-Hood joins a distinguished panel of lawyers to debate the future of our troubled courts system

PLUS: ROZENBERG • BARRISTERS • NEGLIGENCE • IMMIGRATION • LEGAL TECH • CAREERS • REVIEWS





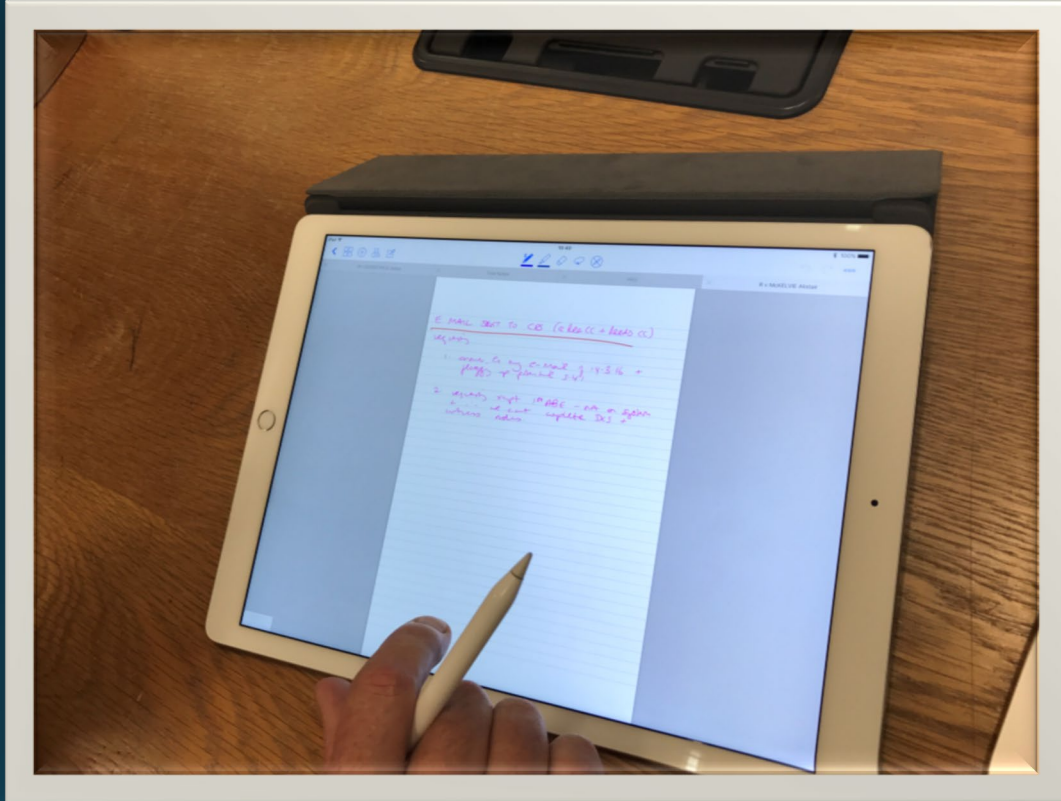
To design the entire system around the 50,000 that end in a hearing rather than the 2 million that come through the door seems to me not to be serving the majority of the people in that system particularly well











10:39

crowncourt dcs.caselines.co.uk

JOSEPH, LUKE KEVIN

MCKELVIE, Alistaire Richard

HOME CASE PAGE NOTES FIND

MCKELVIE, Alistaire Richard

23 (21 hours, 33 minutes)

16) PD1 - PD41

A: Magistrates' Sending Sheet

1: 725617_04012016_CCDD ET_1920_1500607112_B 43LV02_10245_ON (11 Jan 16) A1 - A5

2: BCM A.MCKELVIE (003) (4) (2) (11 Jan 16) A6 - A7

B: Indictment

1: McKelvie indictment (20 Jan 16) B1

C: Basis of Plea

D: Defence Statement

1: McKelvie DCS (25 May 16) D1 - D2

2: Defence Witness Notice - Wade (15 Nov 16) D3 - D4

3: McKelvie - Addendum to Defence Statement (26 Nov 16) D5 - D6

4: McKelvie - Barclays Bank Statement (29 Nov 16) D7

5: Sharon Wade - Facebook Messages (06 Dec 16) D8 - D10

6: Sharon Wade - Phone Billing (06 Dec 16) D11

IN THE CROWN COURT AT READING

CASE N° 29113 PD1

T 2016 7014

R v M^cKELVIE

NOTES

ON DCS SINGLE CASE

PRIVATE DEFENCE SECTION

PAGE 1 08T 21.1.16

PAGES 2-8 26.1.16 COT HAD BILLARDSON WITH JPS

PAGE 9 27.1.16 "ENGAGEMENT" + PTHAN

PAGES 10 + 11 21.05.16 PTHAN READING CROWN COURT

JOHN SIMMONS COUNSEL

REEDS SOLICITORS

SENT TO A.D.?

Colour Filter

Tag Filter

Not Guilty

Mr Michael Matt

01 Feb 2016,

Widely Shared Comment (H)

Add Comm

Not Guilty

Mr Michael Matt

01 Feb 2016,

Widely Shared Comment (H)

Add Comm



HM Courts & Tribunals Service

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About us

What we do

HM Courts & Tribunals Service is responsible for the administration of criminal, civil and family courts and tribunals in England and Wales.

We are also responsible for non-devolved tribunals in Scotland and Northern Ireland.

We work with an independent judiciary to provide a fair, efficient and effective justice system.



HM Courts &
Tribunals Service

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HM Courts &
Tribunals Service

Modernising the Courts and Tribunals Service





HM Courts &
Tribunals Service

Cost so far	£546m
Benefits	£158m



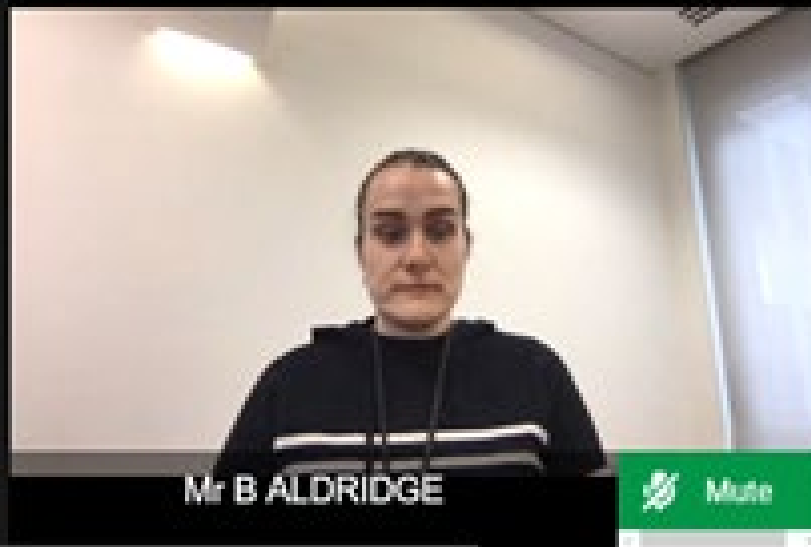


HM Courts &
Tribunals Service

Cost so far	£546m
Benefits	£158m



By the end of 2018-19 we will have spent £546m, £83m less than the spending envelope in PBC4 on reform, and our benefits to date of £158m have exceeded planned levels for this point in the programme... Tools, such as benefits dashboards at portfolio and programme levels, are also being developed to facilitate the easier dissemination of benefits information in a timely manner for decision making to drive and enhance a benefits-led approach and also to track the realisation of benefits against the programme's critical success factors and operational metrics.



Mr B ALDRIDGE

Mute



Mr A ANDRIS

Mute



Judge Smith

Hearing in session

Actions

Pause

Close

TC/2018/0228-01 06 46
Tax Case Hearing
(Tax Appeal)

[Contact Administrator](#)

Participants

Mr A ANDRIS



Courts and Tribunals (Judiciary and Functions of Staff) Act 2018

CHAPTER 33

CONTENTS

Judiciary

- 1 Deployment of judges
- 2 Alteration of judicial titles

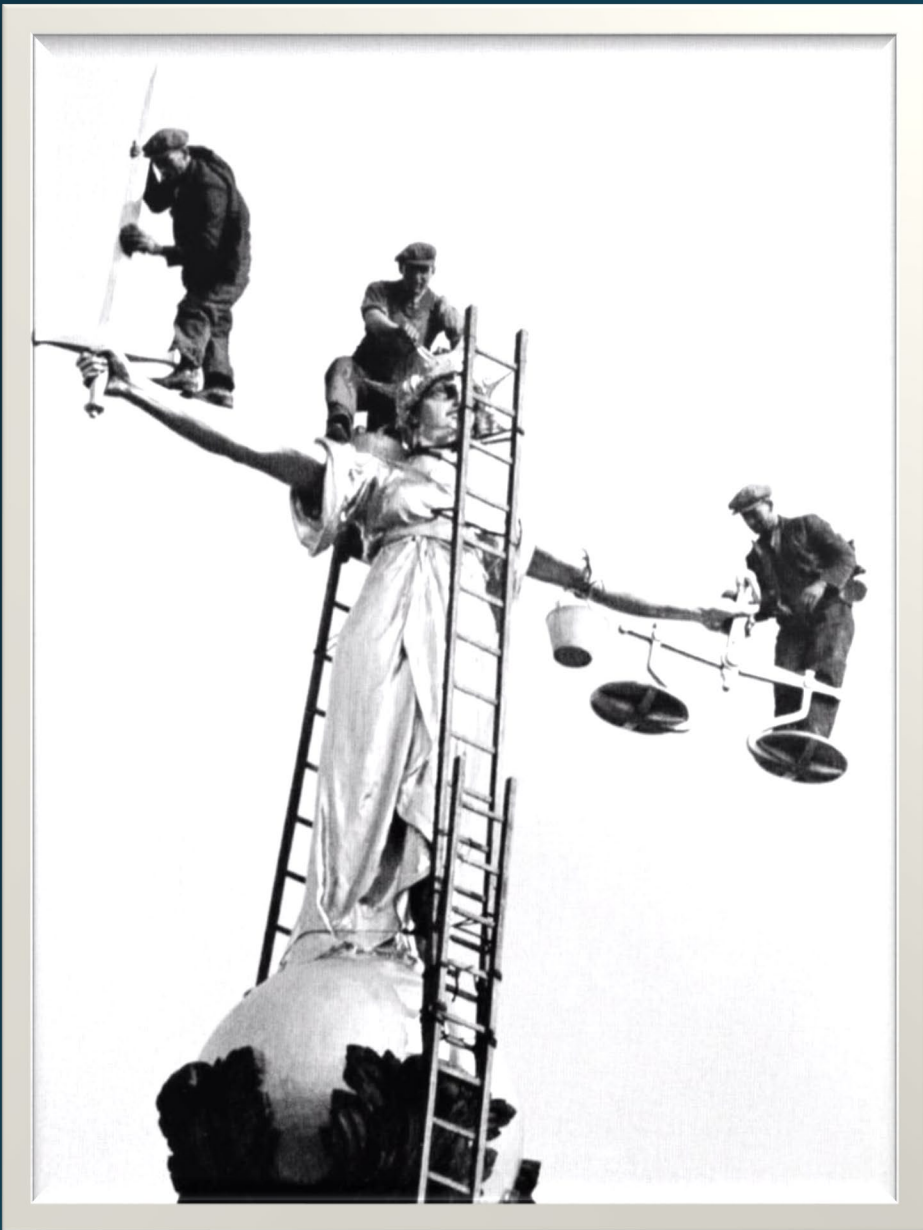
Functions of staff

- 3 Authorised court and tribunal staff: legal advice and judicial functions

Final provisions

- 4 Short title, commencement and extent

Schedule — Authorised court and tribunal staff: legal advice and judicial functions
Part 1 — Courts
Part 2 — Tribunals



1. Single justice procedure
2. Divorce
3. Probate
4. Civil money claims
5. Continuous online resolution

1. Single justice procedure



2. Divorce





[Home](#) > [Births, deaths, marriages and care](#) > [Marriage, civil partnership and divorce](#)

Apply for a divorce

You can use this service to apply for a divorce in England and Wales.

You can only use this service to apply for a divorce for yourself.

You must apply by post if:

- you're a solicitor
- you want to end a civil partnership
- you want to [apply in Welsh](#)

It costs £550 to apply online or by post.

The process is different in [Scotland](#) and [Northern Ireland](#).

[Apply for a divorce >](#)

Related content

[Get a divorce](#)

[Get a legal separation](#)

[Annul a marriage](#)

[Making child arrangements if you divorce or separate](#)

[Money and property when a relationship ends](#)

[End a civil partnership](#)

Application for a divorce, dissolution or (judicial) separation

You can only make an application for divorce or dissolution if you have been in your marriage or civil partnership for at least one year. This does not apply to (judicial) separation applications.

The information you give will be used as evidence by the court to decide if you are entitled to legally end your marriage or civil partnership or to get a (judicial) separation order from your partner. A copy of this form will be sent to your spouse/civil partner by the court.

If there are exceptional reasons why your application should be dealt with urgently then please set those reasons out in a covering letter.

To be completed by the court	
Name of court	
Case No.	
Date received by the court	
Date issued	
Time issued	

There is a court fee for making this application - see notes on page 15

Help with Fees - Ref no. (if applicable)	H	W	F	-				-			
--	---	---	---	---	--	--	--	---	--	--	--

If you have to pay a fee indicate how you will pay

- ☐ **cheque**
- ☐ **debit/credit card** – The court will call you between 9am – 4pm Monday to Friday, using the contact details you provide later in the form to collect payment.

Section 1

Your application

(known as a petition in divorce and judicial separation)

1.1 What application do you wish to make?

- ☐ **Divorce** on the ground that the marriage has broken down irretrievably
- ☐ **Dissolution** on the ground that the civil partnership has broken down irretrievably
- ☐ **(Judicial) separation**

1.2 What documents are you supplying to support your application?

- In cases of urgent applications it may be possible for you to make an application to allow you to deliver the original or a certified copy of the marriage/civil partnership certificate to the court at a later date.
- ☐ Your marriage or civil partnership certificate or a certified copy of the certificate from where you got married or entered into a civil partnership (a photocopy will **not** be accepted).
- ☐ A translation that has been certified by a notary public or authenticated by a statement of truth by the person who did the translation. This should be provided if your marriage or civil partnership certificate (or a similar document issued under the law in the country you registered your marriage or civil partnership) is not in English.

At times in this form you will be referred to as the Petitioner or Applicant, and your spouse/civil partner will be referred to as the Respondent. These are the technical terms used in law.

There is a separate fee for making an application to issue without your marriage certificate: see www.gov.uk/court-fees-what-they-are

For marriages/civil partnerships in England and Wales you can order a copy of the certificate at www.gro.gov.uk/gro/content/certificates. You will need to pay for each copy.

If you entered into a **religious marriage** as well as a civil marriage, these divorce proceedings may not dissolve the religious part of your marriage. It is important that you contact the relevant religious authority and seek further guidance if you are unsure.

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[◀ Back](#)

Has your marriage broken down irretrievably (it can't be saved)?

You can only get a divorce on the ground that your marriage has broken down irretrievably.



Yes



No

Continue

▶ [Is there a problem with this page?](#)

Choose a reason for your divorce

You must choose one of the following reasons (legally known as the 'facts') for your divorce.

► [What if we lived together after we separated?](#)

Choose one of the following reasons:

☐

Behaviour

Your wife has behaved in such a way that you can't reasonably be expected to live with them any more

☐

Adultery

Your wife has committed adultery with a man and you find it intolerable (unbearable) to live with them. Adultery can only be used if it was with a member of the opposite sex

☐

Separated for 2 years with consent

Your wife agrees to a divorce and you've been separated for 2 years or more

☐

Separated for 5 years

You've been separated from your wife for 5 years or more

☐

Desertion

Your wife abandoned you (left without your agreement) more than 2 years ago



Adultery

Your wife has committed adultery with a man and you find it intolerable (unbearable) to live with them. Adultery can only be used if it was with a member of the opposite sex

Describe your wife's behaviour

Include examples of your wife's behaviour which affect you the most, and the most recent incidents. If you think your health has been affected, state how it's been affected.



Don't include examples in which you're both at fault.

You can describe how they've behaved over a period of time or use particular incidents. Try to include dates if you remember them.

Your wife will be sent a copy of your divorce application, so you may want to avoid language that will cause conflict between you. You can discuss your examples with your wife if you want to.

Use as many examples as you want to, as long as it's enough to satisfy the court that you can't reasonably be expected to live with your wife.

Example 1

My wife ...

Example 2

My wife ...

Dividing your money and property

If you disagree with your wife about how your property, money, pensions and other assets will be split, then you can ask the court to decide for you. This includes maintenance payments.

These decisions are called 'financial orders'. You can apply for orders for yourself, and/or, if appropriate, for your children.

If you both agree on how to split your money and property and want to make it legally binding, you can apply for a 'consent order'.

► [Find out more about financial orders](#)

Do you want to apply for a financial order?

☐ Yes

☐ No

Upload your documents

You need to upload a digital photo of the following documents:

- your original marriage certificate or a [certified copy](#)

You can use your phone to do this now if it has a camera.

▶ [How to take the picture](#)

The image must be of the entire document and has to be readable by court staff. You can upload most types of image (up to 10MB).

You can also upload other documents that you need to send.



[Choose a file or take a photo](#)

or

Drag and drop files here

3. Probate

GENERAL INDEX TO PROBATE CASES.				
No. of FILE	NAME OR TITLE OF ESTATE	MINUTE BOOK		REMARKS
		VOL.	PAGE	
✓ 29	McCormick, Pat. Estate of	A	35	
✓ 103	McMahon, John, Est of	A	281	
✓ 104	McKnight, Albert Est of	A	282	
✓ 131	McNellom, Moses, Est of	A	332	
✓ 174	McDugald, Mary, Est of	A	402	
354	McGuire, Anthony, Insanity of			✓ Record
427	McAlmond R M Insanity	"A"		✓

BETA This is a new service – your [feedback](#) will help us to improve it.

Apply for probate

Probate gives you the legal right to deal with a person's property, money and possessions (their 'estate') after they've died.

You need to fill in the application online then send your documents to the probate registry. We'll tell you exactly what you need to send when you have completed your application.

To apply in Welsh, download [form PA1](#). We're currently building a Welsh language online service.

If more than one person is applying

Up to 4 people can apply for probate.

All applicants will need to agree with the legal declaration and their names will appear on the grant of probate.

Everyone applying must have their own email address. That's because we can't discuss details with anyone but the people named in the application.

They will also need a mobile phone and access to the Internet.

BETA This is a new service – your [feedback](#) will help us to improve it.

What's the full name of the person who died?

Use the name on the death certificate.

Including middle names

First name(s)

Last name(s)

Save and continue

Apply for probate

Complete these steps to get the legal right to deal with the property and belongings of someone who has died.

You can save your application and return to it later if you need to.

1. About the person who died

Start >

2. About the executors

Can't start yet

3. Check your answers and make your legal declaration

Can't start yet

4. Order extra copies of the grant of probate

Can't start yet

5. Pay and submit

Can't start yet

6. Send documents

Can't start yet

4. Civil money claims

FT readers' victories in the small claims court

From having a car clamped wrongly to cracks in a wall caused by a neighbour's new basement

LINDSAY COOK

+ Add to myFT



© Alamy

Lindsay Cook DECEMBER 14, 2018

18

Which is better — the Ombudsman or the small claims court? Since I posed [this question](#) in a column at the end of October, I have been deluged with correspondence from FT Money readers about their successful court claims, and praise for the “easy to use” online forms provided by the Ministry of Justice.

BETA

This is a new service – your [feedback](#) will help us to improve it. (opens in a new window)

Total amount you're claiming

If you're claiming interest, include that in the amount.

- ☐ Over £10,000
- ☒ £10,000 or less
- ☐ I don't know the amount

Save and continue

[Report a problem with this page](#)
(opens in a new window)

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Try to resolve the dispute

Before you claim you should:

- talk to the person or organisation you want to claim against
- consider mediation

Talk to the person or organisation

Try to resolve the dispute by:

- telling them why you intend to claim against them
- suggesting a timetable with actions you want them to take
- explaining you'll make a claim against them if they don't follow your timetable

Consider mediation

Mediation is when an impartial person helps both sides to agree - it can be quicker and cheaper than making a claim.

It can often be done on the phone. If you don't want to speak to the person you're claiming against, a mediator can speak to you both separately.

Before making a claim

If you intend to claim against an organisation, it may have a mediation service or complaints process you can use.

You can also [use a paid mediation service](#) (opens in a new window).

After making a claim

If the person or organisation disputes your claim you may be able to use the free Small Claims Mediation Service.

I confirm I've read this

BETA This is a new service – your [feedback](#) will help us to improve it. (opens in a new window)

Enter your details

The defendant will see these details.

Full name (include title)

Your postal address

Enter a UK postcode

Find address

[Enter address manually](#)

Correspondence address

Would you like correspondence sent to a different address?

☒

No

☐

Yes, add a correspondence address

Save and continue

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Who are you making the claim against?



An individual

For example someone you lent money to



A sole trader or self-employed person

For example a tradesperson who did work for you



A company

For example a company that sold you goods or services



Another type of organisation

For example a partnership, trust, charity, club or association

Save and continue

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Claim amount

Your claim could be for a single amount or might be made up of multiple items

Don't include interest - we'll ask you about this next.

Don't include your claim fee - we'll add this for you.

What you're claiming for

Briefly explain why you're claiming for this - for example, "unpaid debt" or "house deposit not returned"

	Amount
<input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>
<input type="text"/>	£ <input type="text"/>

[Add another row](#)

[Calculate total](#)

BETA This is a new service – your [feedback](#) will help us to improve it. (opens in a new window)

You've submitted your response

Claim number:
096MC062

12 December 2018

[Download your response \(PDF\)](#)

We've emailed David Jones your response, explaining why you reject the claim.

What happens next

What happens next

If you agreed to try mediation

We'll ask David Jones if they want to try mediation.

If they agree we'll contact you to arrange an appointment. If not, we'll tell you what to do.

If you chose not to try mediation

We'll contact you to tell you what to do.

Settle out of court

You can still [settle the claim out of court](#). For example you could offer to repair goods you sold the claimant or suggest a payment.

You can avoid getting a County Court Judgment if the claimant accepts your offer.

[What did you think of this service?](#) (opens in a new window)

[Go to your account](#)

BETA This is a new service – your [feedback](#) will help us to improve it. (opens in a new window)

Make an offer to settle out of court

You may avoid getting a County Court Judgment (CCJ) if you settle out of court.

If David Jones accepts your offer you'll both sign a legal agreement.

If they reject your offer the details can't be mentioned in court.

Continue

Make an offer

Make it clear what you will do and by when. For example: "I will pay you £240 on 11 1 2019 by bank transfer".

If you're also asking David Jones to do something, say clearly what it is and by when it should be done. For example: "You will fix the roof by 25 1 2019."

Your offer

I will pay full amount if Claimant paints my fence

When will all parts of this offer be done?

For example, 11 2 2019

Day

Month

Year

01

02

2019

David Jones can accept or reject your offer.

Submit offer

We've sent your offer to David Jones

What happens next

David Jones can accept or reject. We'll email you when they respond.

[What did you think of this service?](#) (opens in a new window)

Finished

Help and support

Email: civilmoneyclaimsdemo@gmail.com

Telephone: 0300 123 7050

Hours: 9am to 5pm, Monday to Friday

[Find out about call charges](#) (opens in a new window)

Claim number:

096MC062

Claim status

Your response to the claim

You have rejected the claim. You've suggested mediation.

We'll ask David Jones if they agree to take part in mediation.

If they say yes, we'll arrange a date for mediation. If they say no we'll send you a directions questionnaire - this is a form you complete to tell us more about the claim.

[Download your response](#)

About claim

Claimant name:

[David Jones](#)

Claim amount:

£1,390

Claim details:

[View claim](#)

Defendant response:

[Download response](#)

Claim number:

096MC062

Claim status

The defendant's response

Jack Jones has rejected the claim. They've suggested mediation to help resolve this dispute.

[Find out how mediation works](#) (opens in a new window) (PDF, 399KB)

You need to email civilmoneyclaimsdemo@gmail.com before before 4pm on 17 December 2018 to tell us if you agree to mediation or not.

If you don't send an email before the deadline, the claim will proceed without mediation.

[Download their response](#)

About claim

Defendant name:

[Jack Jones](#)

Claim amount:

£1,390

Claim details:

[View claim](#)

Your response:

[Download response](#)

Defendant's response

Jack Jones's offer

The offer	I will pay full amount if Claimant paints my fence
-----------	--

Completion date	1 February 2019
--------------------	-----------------

Do you accept the offer?



Yes

You can make a legal agreement between you and Jack Jones.



No

You can now make a legal agreement

The agreement will be based on the offer from Jack Jones you've just accepted. It has not been reviewed by court staff or a judge.

You both need to sign the agreement for it to become a legal contract.

[Make an agreement](#)

If the agreement is broken

Either party can apply to:

- request a judgment for any money still owed from this agreement
- resume the original claim or counterclaim for the full amount of the claim
- ask the court to enforce any of the steps to be taken

To apply, download and complete form N244 and send it to the County Court Business Centre. You need to say on the form which of the 3 options you're applying for.

Sign the agreement

Make sure this agreement includes everything you've agreed with Jack Jones before signing. You won't be able to change this later.



I confirm I've read and accept the terms of the agreement.

Sign and submit

5. Continuous online resolution

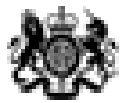


Social Security and
Child Support Tribunal



personal independence
payment (PIP)

[Home](#) > [Organisations](#) > [Department for Work and Pensions](#)



Department
for Work &
Pensions

What the Department for Work and Pensions does

The Department for Work and Pensions (DWP) is responsible for welfare, pensions and child maintenance policy. As the UK's biggest public service department it administers the State Pension and a range of working age, disability and ill health benefits to around 20 million claimants and customers.

[Home](#) > [Benefits](#) > [How benefits work](#)

Appeal a benefit decision

Contents

- [Overview](#)
- Submit your appeal
- [After you submit your appeal](#)
- [What happens at the hearing](#)
- [If you're unhappy with the tribunal's decision](#)

Submit your appeal

You can appeal a decision about your entitlement to benefits, for example Personal Independence Payment (PIP), Employment and Support Allowance (ESA) and Universal Credit.

You must [ask for the decision about your benefits to be looked at again](#) before you can appeal.

[Home](#) > [Benefits](#) > [How benefits work](#)

against

Appeal **a** benefit decision

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[◀ Back](#)

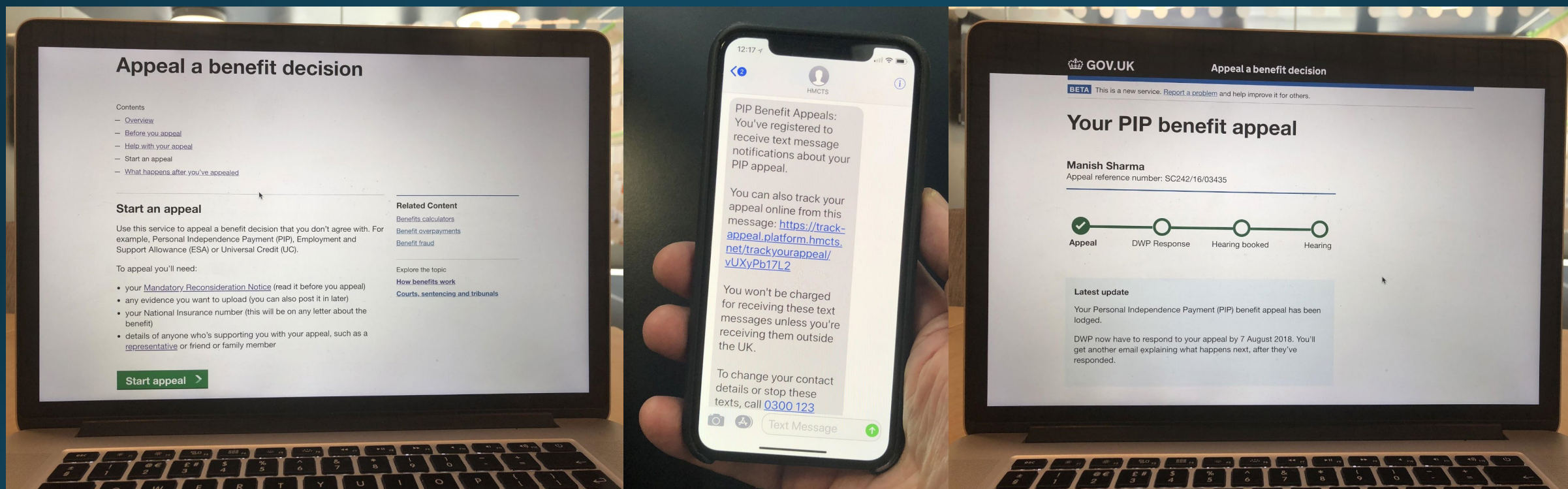
Your appeal will be decided by an independent tribunal

Your appeal will be reviewed by a tribunal made up of a judge, doctor and disability expert. They will consider everything you tell them and make a decision on your entitlement to the PIP benefit.

The tribunal are separate to DWP.

Continue

Continuous online resolution: progress so far



Submit a PIP appeal online

Text notification

Track progress to decision

What is continuous online resolution?

The early evaluation of an appeal with the opportunity to gather further information and resolve it online without a hearing.

5. Continuous online resolution



Social Security and
Child Support Tribunal



personal independence
payment (PIP)

5. Continuous online resolution



Social Security and
Child Support Tribunal




personal independence
payment (PIP)



Subject: Your PIP benefit appeal: action required
From: PIP Benefit Appeals (pipbenefitappeals@hmcts.net)



 HM Courts & Tribunals Service

Appeal reference number: SC242/16/03435

Dear Manish Sharma

The tribunal need some more information from you to help them make a decision on your PIP benefit appeal. The tribunal panel is made up of a judge, a doctor and a disability expert. They are separate from DWP.

Their questions will be straightforward and may mean your appeal can be resolved online.

Please answer their questions by 5 November 2018.

You will need to create an account first:

<https://hmcts-access.service.gov.uk/create-account>

PIP Benefit Appeals
HM Courts & Tribunals Service
Telephone: 0300 123 1142

Email invitation to go online and provide information

- Email invites the appellant to provide information to the tribunal
- The panel are identified by role: helps humanise the process
- The appellant is given a deadline
- Each appellant must create an account to protect information

Judicial user interface

Judicial UIJudge Prita Shah ▼

SC123/16/12321 Alan Jones vs DWP

[< Back to questions](#)

Create a question

Subject

Question

Add question to batch

[Cancel](#)

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Your PIP benefit appeal

Manish Sharma

Appeal reference: SC242/16/03435

Questions from the tribunal

You need to respond by 5 November 2018. [Extend the deadline](#)

[Tell us more about your work in a factory.](#)

[What help do you need with cooking?](#)

[What pain do you have when walking?](#)

Providing additional evidence

If you have any additional information that is relevant to your appeal, you can [submit it to the tribunal](#).

Question dashboard

- Information about the appeal (name, reference)
- A list of questions that the tribunal panel has created
- A deadline (extendable by one week)
- A link for providing additional evidence

BETA This is a new service – your [feedback](#) will help us to improve it.

[◀ Back to questions](#)

Tell us more about your work in a factory

You said in your appeal that you work in a factory. Please can you give us a bit more information about this:

- What type of factory work do you do?
- What sort of activities does it involve?
- How much time you have had off in the past year because of your health condition?

You can write as much as you want

☐

I want to provide evidence to support my answer

Submit answer to the tribunal

Save for later

Questions from the tribunal

- An example of a question that could be asked by a tribunal panel
- Each question should extract as much information as possible (using a broad subject and sub-questions)
- Option of saving an answer to submit later

- What type of factory work do you do?
- What sort of activities does it involve?
- How much time you have had off in the past year because of your health condition?

You can write as much as you want



I want to provide evidence to support my answer

You can upload evidence to support your answer such as letters, photos and documents. If you are taking a picture of a letter, place it on a flat surface and take the picture from above.

Choose file

Uploaded files

No files uploaded

► [You can also post evidence to the tribunal](#)

Submit answer to the tribunal

Save for later

Uploading evidence

- The appellant can upload evidence, such as a doctor's letter
- It can be posted instead; or sent later
- Information about uploading supporting evidence is displayed only if appellant requests it

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Your PIP benefit appeal

Manish Sharma

Appeal reference: SC242/16/03435

Questions from the tribunal

You need to respond by 12 November 2018. [Extend the deadline](#)

[Tell us more about your work in a factory.](#)

DRAFT

[What help do you need with cooking?](#)

[What pain do you have when walking?](#)

Providing additional evidence

If you have any additional information that is relevant to your appeal, you can [submit it to the tribunal](#). You don't have to submit anything if you don't want to.

Question in draft

- You can even save an answer as a draft
- That allows the appellant to review the answer with a friend or adviser before submitting it

BETA This is a new service – your [feedback](#) will help us to improve it.

You will not be able to change your answer after you submit it.

Confirm

Back to question

▶ [Contact us](#)

Confirming the submission

- Last chance to change anything.

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[◀ Back to questions](#)

You have answered the tribunal's questions

You've provided the information the tribunal have asked for. They'll review what you've sent and consider it as part of your appeal.

You'll get another email by 12 November 2018 which will explain how the tribunal want to proceed with your appeal.

[Exit service](#)

[▶ Contact us](#)

All questions are answered

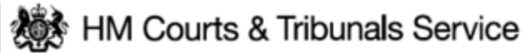
- The tribunal reviews the answers
- It invites comments from DWP
- Within a week, the tribunal will tell the appellant how it wants to proceed.

Tribunal's preliminary view

- Tribunal has reviewed answers from appellant and comments from DWP
- The tribunal has enough information to make up its mind without a hearing
- It cannot issue a *decision* without hearing the parties
- Instead, the tribunal sends the appellant and DWP a reasoned *view* of case
- This is a type of early neutral evaluation
- The appellant can either accept the view or reject it — as can the DWP
- Either side can insist on an oral hearing; but this is likely to be rare

Subject: Your PIP benefit appeal: action required

From: PIP Benefit Appeals (pipbenefitappeals@hmcts.net)



Appeal reference number: SC242/16/03435

Dear Manish Sharma

The tribunal have reached a view on your PIP benefit appeal.

You need to read their view and say whether you accept it by 10 December 2018.

Read the tribunal's view: <https://hmcts-access.service.gov.uk/sign-in>

PIP Benefit Appeals
HM Courts & Tribunals Service
Telephone: 0300 123 1142

A view is offered

- Appellant is told that the tribunal have reached a view on the appeal
- Appellant invited to read the view online and decide whether to accept it

BETA This is a new service – your [feedback](#) will help us to improve it.

Read the tribunal's view

You have to say whether you accept it by [date]. You can do this at the bottom of the page

Manish Sharma

Appeal reference: SC242/16/03435

The tribunal have considered all the information submitted by you and DWP.

Their view is that you're entitled to PIP at the rate below from 3 October 2017 until 3 March 2020.

Daily living	Standard rate
---------------------	---------------

Mobility	No award
-----------------	----------

This is the same as DWP initially awarded you.

If both you and DWP accept this view, you'll be awarded PIP at the above rate.

Preliminary view (upper part of screen)

- Begins with a summary of the view
- Appellant told how this compares with DWP's initial decision.
- If appellant agrees and DWP do not object, this will become the decision

This is the same as DWP initially awarded you.

If both you and DWP accept this view, you'll be awarded PIP at the above rate.

The reasons for the tribunal's view

We considered all the evidence you and DWP submitted in relation to your appeal. This includes any additional evidence you submitted.

After considering this evidence we acknowledge that you experience pain in your lower back when doing some tasks around the house. Specifically washing yourself and preparing food. We consider that this pain does not hinder you enough to be awarded the enhanced rate of the daily living component of PIP. It is therefore our view that you are eligible for Daily living at the standard rate.

You claim that you suffer pain while walking and you find it hard to plan a route, but in your written submission you also said you were going regularly to the GPs at the time of DWP's decision. You also stated that you made your own way there without the assistance of aids. It is therefore our view that you are not eligible for the Mobility aspect of PIP at any rate.

► [PIP activities and the descriptors we consider apply to your appeal](#)

Preliminary view (middle part of screen)

- Reasons for the view, written by the panel
- It's hoped that appellants will be more willing to accept the view if they understand the reasons for it
- Appellant can also view technical information

You claim that you suffer pain while walking and you find it hard to plan a route, but in your written submission you also said you were going regularly to the GPs at the time of DWP's decision. You also stated that you made your own way there without the assistance of aids. It is therefore our view that you are not eligible for the Mobility aspect of PIP at any rate.

► [PIP activities and the descriptors we consider apply to your appeal](#)

What happens next

You can accept the view or if you feel the view is wrong you can have a face to face hearing.

Do you accept this view?

☐

I accept the tribunal's view

☐

I want a hearing

If you need help deciding whether to accept then contact your representative or talk to a friend or family member who knows about your condition.

You have to respond to this question by 28 November 2018. If you do not respond then the tribunal will review your appeal and decide how to proceed.

Continue

Preliminary view (lower part of screen)

- Applicant has choice of accepting the view or having a hearing
- Deadline for response

BETA This is a new service – your [feedback](#) will help us to improve it.

Are you sure you want to accept the view?

You will not be able to change your mind.

☐ Yes, I want to accept the view

☐ No, I want to go back

If you need help deciding then you could talk to your representative or a friend or family member who knows about your condition.

Continue

Are you sure?

- Last chance to phone a friend

BETA This is a new service – your [feedback](#) will help us to improve it.

You have accepted the tribunal's view

This view has also been communicated to DWP.

If DWP accept, the decision will be issued and your appeal will be closed.

If they do not accept, then the tribunal will review the appeal and decide how to proceed.

You will get an email telling you whether DWP has accepted the view by 17 December 2018.

Continue

View accepted

- Wait a week to see what DWP say
- If DWP don't agree, tribunal will decide

BETA This is a new service – your [feedback](#) will help us to improve it.

[◀ Back](#)

A new tribunal panel will decide your appeal

A new tribunal panel will make a decision on your appeal. This may be different from the view already given.

Do you still want a hearing?

☐

Yes

☐

No

Continue

Appellant chooses hearing

- A new panel will decide the appeal
- This means the decision could be 'different'.
- Appellant asked: do you still want a hearing?

BETA This is a new service – your [feedback](#) will help us to improve it.

[◀ Back](#)

Explain why you want a hearing

Continue

Appellant is asked why

- This is to help the tribunal understand why appellants are choosing a hearing rather than accepting the view

BETA This is a new service – your [feedback](#) will help us to improve it.

A hearing needs to be booked for your appeal

You'll receive an email with details of your hearing by 28 December 2018

If you require a hearing room with disabled access or any other support then please email the tribunal at benefitappeals@hmcts.net

Include your appeal reference number on any emails to the tribunal:
SC242/16/03435

Continue

Hearing to be booked

- The case will be dealt with in the normal way — though the tribunal will know what has happened previously

Appeal a benefit decision

Contents

- Overview
- [Submit your appeal](#)
- [After you submit your appeal](#)
- [What happens at the hearing](#)
- [If you're unhappy with the tribunal's decision](#)

Overview

You can appeal a decision about your entitlement to benefits, for example Personal Independence Payment (PIP), Employment and Support Allowance (ESA) and Universal Credit.

[Home](#) > [Benefits](#) > [How benefits work](#)

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Overview

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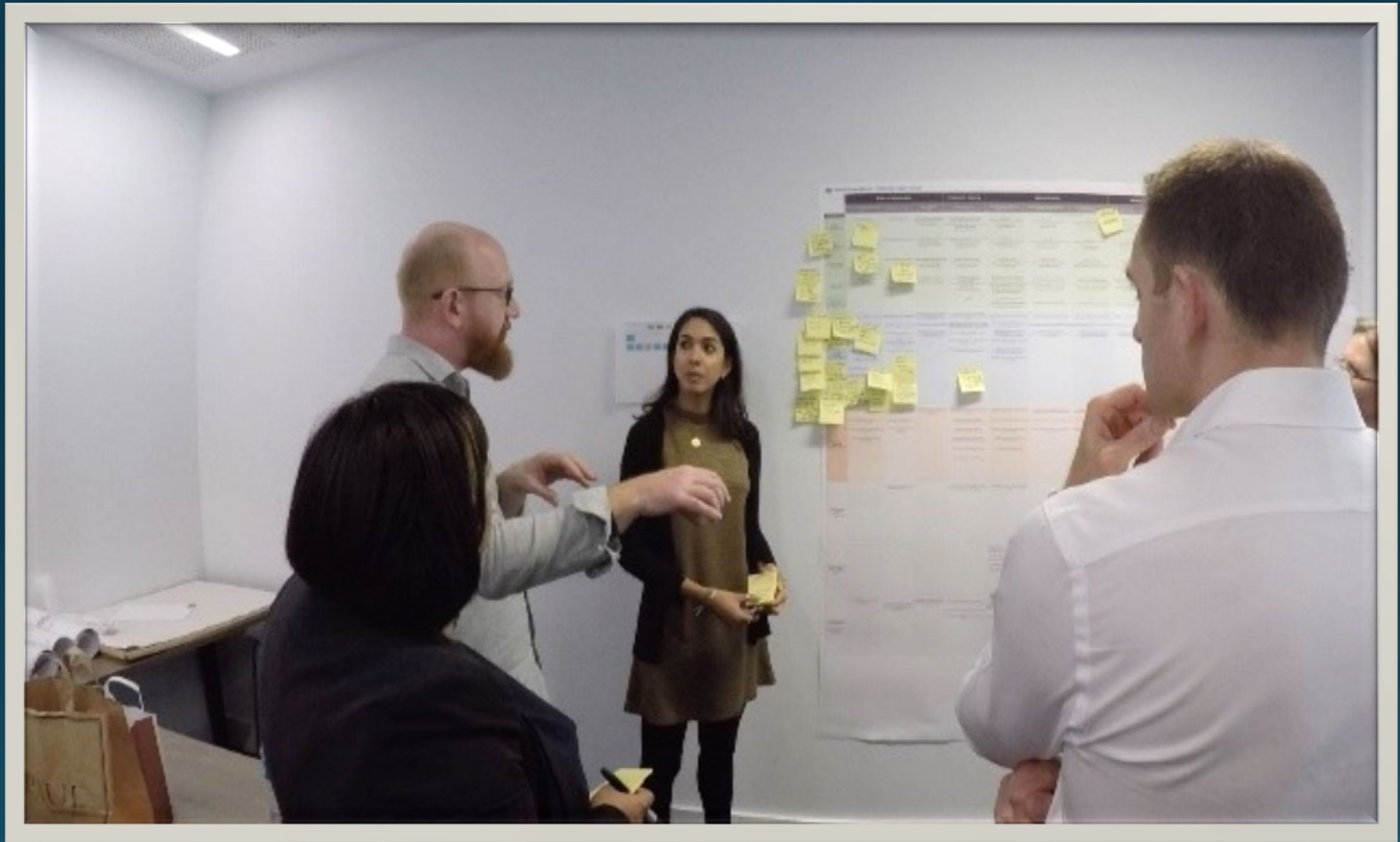
Appeal a benefit decision

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Overview

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COURTS AND
TRIBUNALS JUDICIARY

Judicial Ways of Working – 2022

Civil

April 2018

Judicial Ways of Working – 2022

Civil

April 2018

- Use of digital systems
- Use of technology for hearings
- Cases dealt with proportionately
- Use of simpler, accessible rules
- Authorising staff to perform routine judicial functions
- A modern court estate, properly staffed



[About the judiciary](#) [You and the judiciary](#) [Related offices and bodies](#)

[Publications](#)

[Courts and Tribunals Judiciary](#) > [Announcements](#) > [News](#) >

Jurisdictional responses to the 'Judicial Ways of Working' exercise

25 January 2019 | [News](#)

Message from Lord Burnett of Maldon, Lord Chief Justice and Sir Ernest Ryder, Senior President of Tribunals:

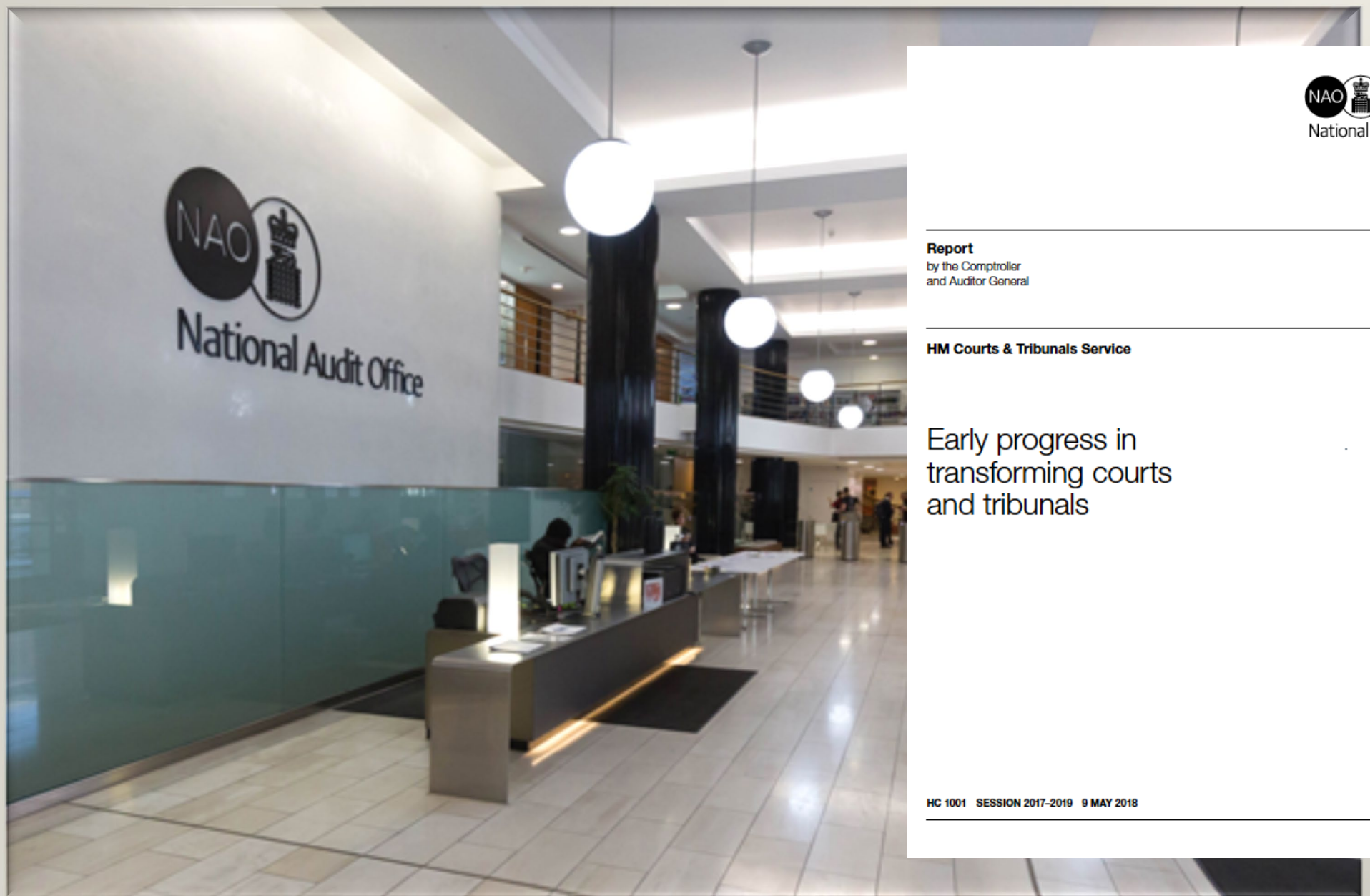
During the course of last year, we embarked on a wide-ranging exercise to gather the view of judges, panel members and magistrates on aspects of the proposals which underline the modernisation and reform programme of our courts and tribunals. We sought to bring to bear the insight and expertise of the judiciary as a whole in the design by HMCTS of the detail of the plans. The original survey documents can be found below.





Asylum & Immigration Tribunal





National Audit Office

Report

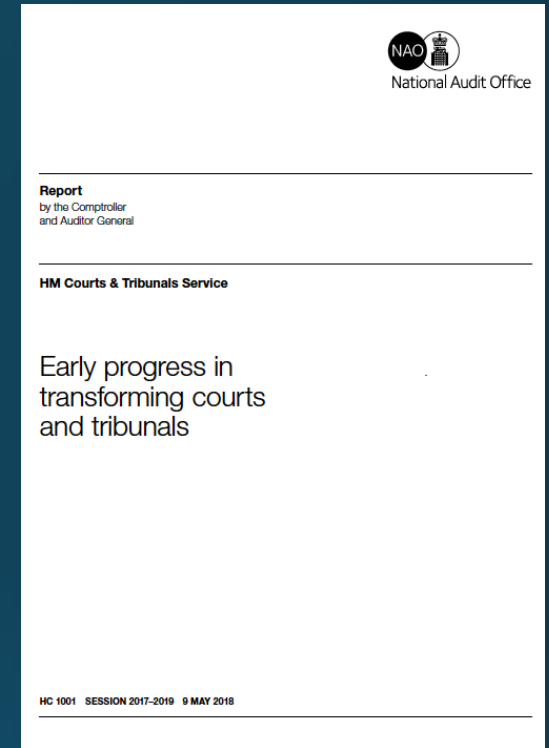
by the Comptroller
and Auditor General

HM Courts & Tribunals Service

Early progress in transforming courts and tribunals

HC 1001 SESSION 2017-2019 9 MAY 2018

HMCTS faces a daunting challenge in delivering the scale of technological and cultural change necessary to modernise the administration of justice, and achieve the savings required. It has responded to early concerns by extending the timetable and improving its governance and programme management. But there is a long way to go to achieve the planned transformation and overall HMCTS is behind where it expected to be at this stage.







Public Accounts Committee, July 2018

HMCTS's £1.2 billion programme to modernise courts is hugely ambitious and on a scale which has never been attempted anywhere before... Despite extending its timetable from four to six years, HMCTS has already fallen behind, delivering only two-thirds of what it expected to at this stage, and it still has not shared a sufficiently well developed plan of what it is trying to achieve.

Public Accounts Committee, July 2018



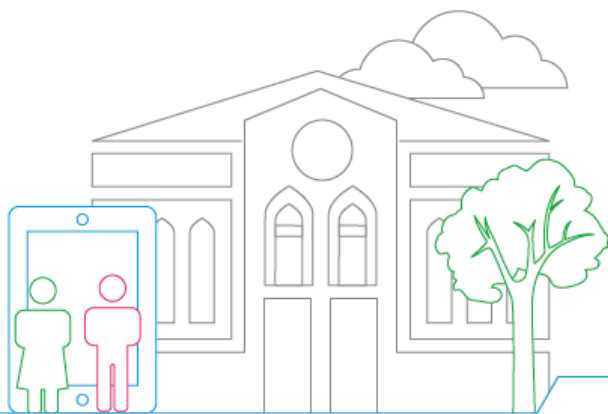
The pressure to deliver quickly and make savings is limiting HMCTS's ability to consult meaningfully with stakeholders and risks it driving forward changes before it fully understands the impact on users and the justice system more widely... Without a better grip on these wider issues, there is a significant risk that HCMTS will fail to deliver the benefits it expects.

Delivering our reforms

Response to

PAC recommendation 1

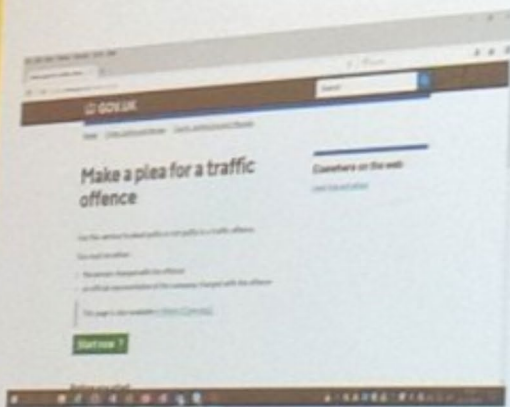
January 2019



As of January 2019, we have fully delivered 20 of the 23 indicators we planned to meet at this stage, and which we provided to the committee in June 2018.

- Better overall experience
- More accessible
- Clear proportionality

Online Plea



"I love this online service. it's so amazing and time saving."

"Perfect, if only all government and other services worked this!"

"Very easy to use - made a stressful situation a little better"

"Doing online was a lot easier than the paper version"

"I find the ability to make a plea online particularly useful for me as I'm homebound. It was easy to navigate thank you."









<https://long-reads.thelegaleducationfoundation.org>



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