Property Litigation Association urges root and branch reform of county court system

Association in talks with Her Majesty’s Courts & Tribunal Service over reforms

By Paul Norman
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The county court system is “not fit for purpose and far-reaching change” is needed to arrest declining standards of service, the Property Litigation Association (PLA) has reported.

The PLA - which represents 1,400 property litigation specialists across the UK – surveyed its members on whether any improvements had been made to service standards by Her Majesty’s Courts & Tribunal Service (HMCTS) since the PLA’s last court users’ feedback report in 2015.

Against a backdrop of a fall in central funding (up until last year) and a sharp rise in complaints to HMCTS, the answer is a resounding no, the report finds.
93.4% of respondents considered that the county court system is not fit for purpose.

Almost 90% (89.35%) of participants considered the standard of court administration to be either ‘poor or very poor’, while 93% confirmed that, in the last three years, their clients had expressed concerns over the ‘efficacy of litigation’ in the county courts. All the figures show a slight worsening since 2015.

Similarly, concerns over administration and non-judicial case management mirror those expressed in 2015.

Inadequate management of documents and files appears is at the root of many of the complaints about HMCTS – and was experienced by 85.6% of respondents.

Kerry Glanville, chair of the PLA, and Mathew Ditchburn, chair of the PLA’s law reform committee, have met with HMCTS to discuss the main findings of the report.

“We hope and expect that HMCTS will take on board the views and suggestions of PLA members and factor them into their own reform programme to improve the quality of court service,” Ditchburn said in a statement alongside the report. “We intend to continue our engagement with regular meetings and updates from HMCTS as further reforms are developed and implemented.”

HMCTS is two years into an £1bn reform programme which proposes new digital systems to move many court functions online, fewer and better court and tribunal buildings and fewer, better-trained people working in courts, tribunals and new national centres.

“Court users want better trained court staff who can answer the telephone and provide accurate information about any given claim being conducted by that court,” concludes the report. “They also want the centralised appointment booking system scrapped and court counters reinstated because the drive to streamline issuing proceedings has so far failed and it will not be possible to issue all claims online for the foreseeable future.”

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