

Online Civil Money Claims Service (OCMC): acting on feedback

Background

OCMC is a service for non-legally represented users, for claims up to £10,000. Part of the service is to make available to users' free mediation to settle a claim at an early stage of the process.

In September 2019, we started a pilot where some users had to opt out of mediation. The benefits are it is quicker, cheaper and less stressful for the users. It also frees up administrative and judicial resource, with settled cases not requiring a court hearing. The pilot was evaluated, and this included speaking to users, academics, the judiciary and the advice sector.

Following feedback, we've made changes to screens and guidance to explain more clearly how mediation works and its benefits. We have now expanded the opt out mediation to all defended cases in OCMC.

Who provided the feedback

OCMC service carried out user research with users of the OCMC service. Discussions took place with academics from two universities.

There was close work with the judiciary, who assisted with design and provided approval of user screens. A review was carried out with call handling staff who provided feedback, which resulted in content changes on OCMC service mediation screens.

Interviews were carried out by the HMCTS insight team with users' who both accepted and rejected the mediation option, which resulted in content changes on OCMC service mediation screens.

Why is the issue relevant to the stakeholder group?

It ensures access to justice for users who are not legally represented, allowing the judiciary to only deal with the most complex cases and continues to assess user feedback to understand where improvements can assist the user in understanding the benefits of mediation.

How was feedback provided?

OCMC service used surveys, interviews with users, case workers at the Courts and Tribunals Service Centre (CTSC) and the judiciary, to meet legal requirements and evaluation was carried out and presented by HMCTS insight team.

Action taken from the feedback

OCCMC changed content to explain more about the process, greater positivity, benefits to user, better guidance and collected reasons for opting out of mediation so we can analyse further, and continuously consider improving mediation user screens to encourage more to use the HMCTS free small claims mediation service.

Impact of the actions

More claims referred to mediation, could reduce the time a claim takes to be resolved, reduces stress for the user and reduces number of claims requiring a hearing.

Statistics that support the impact:

In a 12-month period ending 31 January 2021, there were 9,912 claims referred to mediation, with 7,083 appointments issued and 55% of those appointments resulted in a successful mediation and the case settling.

On the assumption there will be a small increase from 40% to 45% eligible claims seeking mediation, it is expected there will be an additional 485 mediations in the next 12 months, resulting in a potential saving of judicial sitting days.

The stakeholders are supportive of the changes as would want more people to go to mediation.

Relevant quotes

[Mediation is] one of the best things the courts can do.

Defendant Opt Out.

Rather than wasting a proper judge's time I'd rather get it dealt with quickly and cleanly.

Defendant Opt In.

Other examples of stakeholder feedback improved service

1. Judge and Legal Advisor Directions Order – OCCMC service have piloted a number of courts, asking the judiciary to make a direction order using the digital file and capability before a claim is transferred to the local County Court. This has been so successful that it is being rolled out nationally.

2. CTSC Improvements – CTSC reviewed OCMC service, and came up with 80 recommendations, which are being analysed and action taken to improve the service for its users.
3. OCON9X Response – defendant users' responding to a claim by paper will use OCON9X form which allows the claim and claimant to remain online, with the defendant staying offline.

Further information

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