

# People's experiences and views of the justice system

**Full report**

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As an independent charitable trust with a mission to advance social well-being, the Foundation funds and undertakes rigorous research, encourages innovation and supports the use of sound evidence to inform social and economic policy, and improve people's lives. It is the founder and co-funder of the Nuffield Council on Bioethics, the Ada Lovelace Institute, and the Nuffield Family Justice Observatory.

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# Executive summary

## Introduction and methods

This study applies a systematic review methodology to map and synthesise the existing research on public users' experiences and views of the justice system, as well as interventions to address or improve these experiences. The methodology involved a two-step review: firstly mapping the primary research conducted in the UK published between 1995 and 2025 across all courts and tribunals; and then secondly narrowing the focus to synthesise the research on views and experiences of users, focusing on civil, administrative, and family justice, published since 2010.

## Findings

The findings from this study highlight a range of core themes from the literature, including: public users' reasons for engaging with courts and tribunals; their sources of information, advice, and support; the impact of interactions with the justice system on people's lives; and the effects of the state of the justice system on experiences. They also highlight the particularly difficult experiences of certain types of users, such as survivors of domestic abuse. Furthermore, this report analyses the relatively limited and mainly process-focused interventions in this field, as well as offering reflections on the strengths and limitations of the included studies. One major finding of this research relates to weaknesses in the ways in which many of the included studies were reported. This includes their description of their sample, methods, and analysis; the absence of considerations of limitations or validity; and not adequately distinguishing empirical findings from insights from the literature.

## Discussion

The final discussion section of the report presents a series of overarching themes and findings that have emerged from the overall study including clear evidence that:

- Public users' information, assistance, and emotional needs are not being met.
- The impact of the withdrawal of investment, austerity, and cost cutting on the justice system has led to a significant negative impact on public user experience.
- Public users often don't know what to expect or have misplaced expectations of courts and tribunals, exacerbating other concerns around understanding.
- Some professional users, notably judges, are going to significant lengths to help enable understanding and participation, and there is evidence that this improves how users see the process.

- There is a need for improvements in the processes around reasonable adjustments and special measures.
- Public user engagement with courts and tribunals does not occur in isolation, with personal experiences and circumstances affecting engagement, and engagement having broader impacts on lives and networks.

## Recommendations

This report then provides recommendations on ways to transform the justice system, areas where further research is required, and approaches to improve research and reporting standards (details of each recommendation are given in Section 9):

### Recommended ways to transform the justice system

- Improve information provision for public users.
- Develop better systems for identifying and addressing reasonable adjustments and special measures.
- Provide better resourcing to improve outcomes, including significant changes to the provision of legal aid.
- Develop better training for professional users.
- Explore the use of less adversarial approaches, especially in the Family Court.
- Build a stronger evaluative culture within the justice system.
- Adopt human-centred design approaches to work on re-engineering justice systems to better meet the needs of their public users.

### Recommendations on areas of research

- Research that focuses on the 'whole of journey' or longitudinal approaches.
- Research that explores the 'radiating' impacts on networks and lives of engaging with courts and tribunals.
- Research that focuses on the impact of intersectionality on user experiences and journeys.
- Research that focuses on high-quality intervention studies.
- Economic analysis of the consequential impacts of the withdrawal of funding.
- Greater efforts to consolidate and synthesise existing research.

## Recommendations regarding reporting and publication

- Explore ways to improve research methodologies and reporting standards.
- Improve archival practices.
- Optimise abstracts for search and comparison.
- Increase commitment to open research.

# 1 Introduction

This report explores user views and experiences of the justice system by applying a two-stage mapping and systematic review methodology to the existing literature on this topic that is empirically grounded and that has emerged from the UK.

## 1.1 Background

Recent years have seen escalating concerns around the state of the justice system in the UK. The impact of austerity, the introduction of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO), closures within the court estate, and the consequences of reforms have raised further questions about the justice system's effectiveness, especially for public users. There is clear evidence of increasingly long delays, of a system that is difficult to navigate and that may have lost sight of the needs of individuals it was designed to serve. This considerable range of issues is captured clearly within the academic and grey literature (examples include Newman *et al.* 2022, National Audit Office 2023), with work showing that existing policies and guidance do not meet the needs of public users and, in certain circumstances, may even work against them (Mulcahy and Tsalapatani 2022). In this study, public users are defined as individuals with direct experience of engaging or interacting with court or tribunal systems in a non-professional capacity. This can be across a variety of roles, including as litigants, witnesses, victims, defendants, appellants, or in other non-professional capacities (a fuller list is provided on page 12). While there is a considerable, and considerably diverse, range of research that explores public users' experiences of the justice system, it remains uneven and relatively siloed. At the same time there is evidence of a lack of consultation and research to inform policy decisions (House of Commons Committee of Public Accounts 2019). Socio-legal and other research has sought to fill this gap, highlighting the at times degrading experiences of some public users when they enter the justice system (Jacobson *et al.* 2015, Gill *et al.* 2021), as well as the difficulties people face in identifying problems that can be resolved by the justice system, and acting on them (Genn 1999, Pleasence and Balmer 2014).

## 1.2 Use of systematic reviews in legal and socio-legal research

Systematic reviews are uncommon in legal and socio-legal research, though there have been recent calls pushing for their greater use within the discipline (Baude *et al.* 2017, Pichlak *et al.* 2025). By contrast, criminology has a more established use of systematic reviews, especially around evaluating the effectiveness of interventions (Farrington and Jolliffe 2017). The Campbell Collaboration – a non-profit research network that produces and disseminates systematic reviews and other types of evidence syntheses across core social science sectors – includes a Campbell Crime and Justice Coordinating Group which has primarily focused on criminological and policing interventions, with minimal emphasis on civil, family, or tribunal justice (Campbell Collaboration: Crime and Justice Group 2026). We are seeing increasing use of systematic review and evidences synthesis research

on legal and socio-legal topics, in both traditional academic and grey literature, though concerns about the methodological rigour of these studies have been raised (Pichlak *et al.* 2025). Furthermore, the work of legal and socio-legal researchers is also being picked up within interdisciplinary reviews (examples include Heijden 2020, Da Silva *et al.* 2022, Idris *et al.* 2023). This highlights both the timeliness of this review, as well as the importance of developing appropriate methodological resources for systematic reviews in this area, including making researchers more aware of the diversity of review types (Grant and Booth 2009, Gough *et al.* 2017, Nussbaumer-Streit *et al.* 2025) and how they might improve their reporting for systematic review inclusion.

The literature lacks a comprehensive systematic review covering the views and experiences of public users of the UK justice system and their related mitigation measures. There are, however, more specialised reviews using other types of review methodologies (such as rapid evidence assessments on reforms, including HM Courts and Tribunals Service 2023), as well as other types of reviews on related topics or population subsets (examples include Gillon 2019, Barnett 2020, Saied-Tessier 2023, Lawal *et al.* 2025). Many of these existing reviews lack detailed methodological reporting and omitted their data collection tools, so no established coding frameworks were available to adopt for this study.

As this review will illustrate, there is a notable expansion of literature in this field, which is common across many disciplines (Bornmann and Mutz 2015, Bornmann *et al.* 2021, Thelwall and Sud 2022). This increase in the number of studies – as well as the diversity of sources, methodologies, and disciplinary origins – further underscores the need for systematic review research in this field.

### **1.3 The structure of this report**

Following this introduction, Section 2 outlines the study’s methodology, detailing the research questions, key definitions, review stages, and tools utilised. This is followed by Section 3’s diagram showing the overall results of the search, and the flow of information through the various phases of this review. Section 4 presents the key findings from the literature map. Sections 5–7 present an overview on the methodologies and other aspects of included studies, before addressing the findings from the synthesis, which include reporting on what we know about user views and experiences, and existing interventions. The report ends with an extended discussion (Section 8) and set of recommendations (Section 9).

# 2 Methods

This review uses a two-stage approach (see Figure 1), an established approach pioneered by the EPPI-Centre that has been previously used by the authors (Tripney *et al.* 2013, Richardson *et al.* 2024). This first involves conducting a systematic map to describe the nature and extent of available evidence on the topic. This is followed by a second stage involving the investigation of the two focused research questions using a subset of relevant studies. In answering these questions, the review synthesised the literature separately according to each question, then the findings are brought together in the discussion section to offer a comprehensive answer to the review topic.

**Figure 1: Key stages in this review**

<b>Literature Map</b>	<ul style="list-style-type: none"><li>i) Protocol development and refinement of scope</li><li>ii) Literature searches and expert survey</li><li>iii) Screen on title and abstract</li><li>iv) Full text screening and concurrent map coding</li><li>v) Development of a literature map</li></ul>
<b>Synthesis</b>	<ul style="list-style-type: none"><li>vi) Using the map to identify key areas for the evidence synthesis</li><li>vii) Screen for synthesis</li><li>viii) Further coding and quality appraisal of literature for evidence synthesis</li><li>ix) Synthesis of evidence</li><li>x) Production of final report</li></ul>

## 2.1 Research questions

The review addressed two closely related research questions:

Research question (RQ)1: what are the views and experiences of people who have had contact with the UK justice system and their causes and drivers?

Research question (RQ)2: what is known about measures/interventions to improve user experiences or views, including their effectiveness in the UK justice system?

These research questions were used for both the literature map and the synthesis, with the synthesis limited to primary studies from a shorter time period (2010–2025) and only those that considered civil, family, and administrative justice. The full inclusion and exclusion criteria are included below.

These questions were developed through iterative refinement following an initial research call for a review on the broad topic of “people’s experiences and views of the justice system”. However,

following extensive consultation within the research team and with the Nuffield Foundation, the scope was narrowed. It became clear that covering both direct users of the justice system and the wider public within existing resources was not feasible, as this would require analysing a significantly larger and more diverse body of literature.

## 2.2 Definition of concepts

When conducting a descriptive map or systematic review, it is important to define the concepts used. We have defined the concepts as follows:

**Justice system:** Civil and criminal courts and tribunals, excluding broader criminal justice and enforcement agencies such as the Crown Prosecution Service (CPS), police, prisons, and probation. It also excludes non-tribunal-based forms of administrative justice including ombudsmen, complaint procedures, and forms of internal redress. This includes all courts and tribunals across the UK.<sup>1</sup>

**Public users:** People who have direct experience of 'using' the justice system in the UK (including children and adults) in a non-professional capacity. This may include victims, witnesses, litigants (people involved in legal disputes – often used in the context of 'litigants in person' (LiP), which are people who attend court without legal representation), defendants (people who have a civil claim or criminal prosecution brought against them); defenders (in Scotland), appellants (people who bring an appeal), McKenzie Friend (non-lawyer helper), claimant (person who initiates a civil law claim in England and Wales; 'plaintiff' in Northern Ireland; 'pursuer' in Scotland), and applicants (those who start proceedings).

## 2.3 Selection criteria

Relevant research reported in any publication format in any language was eligible for inclusion in the review. Selection criteria were developed and tested iteratively by the review team to ensure only relevant studies were included.

Studies were excluded from the first stage of the review (the literature map) based on the following criteria:

- **Research topic.** Study is not about the justice system as outlined in the definition of concepts above.
- **Phenomenon investigated.** Study is not about one or more of the following: people's experiences and views of the justice system; the drivers and causes of those experiences and views; the measures or interventions for improving user experiences, views or outcomes. Studies focusing on people with direct experience using courts and tribunals were eligible as were those where the study participants were relevant stakeholders (for example, justice system professionals) and the research collected their insights into the experiences of people who have navigated the justice system.

<sup>1</sup>This is for the descriptive map. The synthesis provides an in-depth review of the literature regarding, civil, administrative, and family justice. This is outlined further below.

- **Study setting.** Study is not undertaken in any of the countries that make up the UK.
- **Evidence type.** Study is not a report of primary research (that is, does not investigate a specific phenomenon of interest with publicly available methods and data). Both qualitative and quantitative research designs were eligible, as were relevant mock jury experiments. Panel-type surveys measuring trends across the general population in a given year (for example, the Scottish Courts and Tribunals Service Survey and the Crime Survey for England and Wales) were ineligible due to this study's focus on users.
- **Time frame.** Study is published before 1 January 1995.

The second stage of the review (synthesis) was based on the criteria of the map included above as well as these adapted exclusion criteria:

- **Research topic.** Study is not about the justice system as outlined in the definition of concepts above. Study does not consider either civil, administrative, or family justice systems. Study only considers experiences directly relating to mitigations put in place for the COVID-19 pandemic.
- **Time frame.** Study is published before 1 January 2010.

## 2.4 Search strategy

A comprehensive search strategy was developed to identify relevant literature that answered the research questions.

### 2.4.1 Search terms

As no prior reviews were available to guide the process, the research team developed a series of search strings by combining terms from three core concepts (see Appendix two for further detail):

1. User types, roles, and associated terms;
2. Courts, tribunals, and associated terms; and
3. Terms relating to views and experiences.

### 2.4.2 Search sources

Using an iterative approach, different search strings were tested against known literature to verify their retrieval accuracy. The refined search terms were applied across relevant databases including Scopus Social Science, Arts and Humanities, ProQuest Central, ProQuest Social Science Collection, ProQuest Dissertations, Applied Social Science Index and Abstracts (ASSIA), International Bibliography of the Social Sciences (IBSS), Criminal Justice Abstracts (CJA), and Web of Science. Where available, geographic filters were used to limit the search and retrieve research focused on the UK, and date filters were applied to limit results to a specific publication date range (1 January 1995 onwards).

Supplementary sources, including Google Scholar, were searched to capture important literature published outside of traditional academic journals. Furthermore, manual searching was conducted for eligible research published by relevant charities (AdviceNow, Appeal, Access to Justice Foundation Research Library, Children and Young People’s Centre for Justice, Criminal Justice Alliance, Justice, Support Through Court, Nuffield Foundation Justice Research, Transform Justice) and government organisations (HM Courts and Tribunals Service Research, Ministry of Justice (MoJ) Research and Statistics, Northern Ireland Department of Justice, Scottish Courts, Scottish Government Statistics and Research).

### 2.4.3 Survey of experts

To overcome the limitations of electronic searches and locate grey literature, we emailed known experts for additional studies. A list of 37 contacts was compiled using the expertise of the two subject matter experts in the research team (Tsalapatanis and Nokes), as well as information provided by the Nuffield Foundation. Members of the Socio-Legal Studies Association were also contacted through the Socio-Legal Newsletter. The survey requesting details of additional studies was distributed between July and September 2025 and resulted in 11 responses, which returned over 100 potentially relevant texts.

## 2.5 Study selection

Potentially relevant citations retrieved from electronic sources were imported into EPPI-Reviewer, a specialist web-based software developed to manage the entire review process (Thomas, Graziosi, *et al.* 2020). Studies that were identified through manual searches (that is, those not found in bibliographic databases but located through methods such as searching websites and communication with experts) were screened according to the eligibility criteria and, if appropriate, added to the software if they did not already exist.

The three-step screening process for the map is detailed below. Steps 1 and 2 of are based on title and abstract only. This was completed by a single reviewer as a pragmatic approach for handling the volume of studies but extensive rounds of piloting and testing responses were carried out to ensure consistency. The screening tools used are available in Appendix three. The numbers of included and excluded studies are listed in Figure 2 on page 19.

### 2.5.1 Step 1: Semi-automated selection for country of publication

A Large Language Model (Open AI ChatGPT-4) was used to categorise studies into whether they were conducted in the UK or not using the custom instruction:

*“UK\_or\_Britain\_intervention\_location: boolean // Your role is to answer this question about the title and abstract of a research study. Does the title or text provided indicate an intervention takes place within the United Kingdom, Great Britain, the British Isles, Northern Ireland, Scotland, Wales, England, Jersey, Guernsey, the Channel Islands, or the Isle of Man? Do not answer true if the country location is not clear in the title or text provided”.*

The instruction was piloted on a subset of 102 studies. It accurately coded 93 out of 102 as being conducted in the UK or not. The nine studies not coded were checked manually. The code was applied and 16,902 studies were identified for the second stage of screening as 'Country is the UK or Not Clear'.

## 2.5.2 Step 2: Manual screening

### 2.5.2.1 Moderation

Four members of the review team (Newman, Tripney, Tsalapatani, and Vigurs) independently reviewed samples of studies against the selection criteria to increase consistent application. This process was rated numerous times until reviewer agreement exceeded 90%.

### 2.5.2.2 Priority screening

After the moderation, review team members conducted screening independently, utilising a machine classifier to prioritise relevant studies and automatically exclude low-relevance records (Thomas, McDonald, *et al.* 2020, Stansfield *et al.* 2022). Priority screening in EPPI-Reviewer uses machine learning to sort the publications based on previous manual screening decisions (include/exclude), ranking each study record based on the likelihood of it being relevant to the systematic review. The process involves continuously re-ordering the records and bringing the most likely 'includes' to the top of the list. Within the allocated time frame and funding constraints, it was thought feasible to manually screen the highest ranked 6,000 studies on title and abstract. This decision is in line with recommendations regarding the responsible use of AI in systematic reviews (Thomas *et al.* 2026).

### 2.5.2.3 Priority screening review

A separate team of trained volunteer research assistants completed a quality assurance exercise to assess the potential for 'false negatives' in the pool of unscreened records after the priority screening was completed (approximately 10,550 at that point). They manually screened 364 randomly selected items from which they identified eight possible includes. These potentially relevant items were double-checked by a review team member and confirmed as excludes. The review team are therefore reasonably confident that no crucial evidence was missed.

## 2.5.3 Step 3: Full text screening

Articles passing the initial assessment moved to full text screening. Reviewers read the full study reports to verify if they met all eligibility criteria, using the same tool as screening on title/abstract. Studies for which full texts could not be obtained were also excluded during this step. Additional screening was carried out for the in-depth review, which is described in detail later in this section.

## 2.6 Stage 1: Literature map

The first substantive part of this review developed a literature map that could be used to categorise the existing literature to understand coverage, as well as to help define the areas that would be selected for the full synthesis (Gough *et al.* 2017). The map coded the studies that had been included following the full text screening (Step 3 above). Due to the large number of studies, it was decided to leave the critical appraisal to the synthesis stage, and to map reports (individual publications such as

journal articles), rather than studies (specific underlying research studies), meaning that there may be multiple publications for the same study. Similarly, while the team underwent extensive rounds of piloting and testing responses to ensure consistency, texts were only coded by a single reviewer for the map as a pragmatic approach for handling the volume of studies.

### **2.6.1 Descriptive map coding**

A bespoke descriptive map-coding tool was developed and piloted by the research team, with input from Ash Patel from the Nuffield Foundation. The final coding structure for the map required reviewers to respond to multi-code questions regarding the court and tribunal type, the type of court user's experience or views that were being investigated (for example, child, users with disabilities), the justice system role of that user (for example, witness, defendant), the location of the research, the purpose of the study (views and experiences or an evaluation of an intervention), and finally whether the research was produced during the COVID-19 special measures. The coding tool is available in Appendix four.

## **2.7 Stage 2: In-depth review and synthesis**

The mapping process highlighted key research gaps alongside specific areas of the justice system and/or participant cohorts where a sufficient volume of studies was available for a viable synthesis. After further discussions with the funder about their thematic priorities, it was decided to focus the in-depth review on civil, family, and administrative justice, including Coroners' Courts, as well as to limit studies to those that were published in 2010 or after.

This stage of the review shifted focus from individual documents (reports) to the underlying research investigations (studies). Where multiple reports existed for a single study, the review team analysed them together as a single unit. The reference lists for the included studies (Appendix six) and linked reports (Appendix seven) are provided in the appendices.

### **2.7.1 Quality assessment**

For this review, critical appraisal was conducted in parallel with the data extraction process for the synthesis and was intended to evaluate the quality of included studies. A wide range of existing tools are available, some of which have been designed for specific review approaches and types of studies, as well as others which are more comprehensive, though the numbers of these tools are limited (Harrison *et al.* 2021). There is also a known lack of appropriate appraisal tools, so social science researchers have often applied those used by other disciplines (Tang (唐鑫) *et al.* 2025). Given the diversity of the research methodologies, it was decided that the updated 2018 version of the Mixed Methods Appraisal Tool (MMAT) would be used (Hong *et al.* 2018). This is a critical appraisal tool designed for health-related studies, and it reviews the quality of the reporting of included studies that use a range of methods. The MMAT's designers advise that it is best if two independent reviewers use the tool. However, due to the volume of research included in the synthesis, each study was only appraised by a single reviewer. The MMAT is very commonly used in a range of different reviews and was applied in the systematic review by the Victims' Commissioner (Burch and Stamp 2025).

To give some insight into how the MMAT works, it requires reviewers to respond to two screening questions, as well as the specific questions that relate directly to the type of methodology used

(qualitative, three different types of quantitative, and mixed methods studies). To illustrate this with an example, the screening questions and questions for qualitative studies are as follows (Hong *et al.* 2018):

“S. All studies

S1. Are there clear research questions?

S2. Do the collected data allow to address the research questions?

1. Qualitative

1.1. Is the qualitative approach appropriate to answer the research question?

1.2. Are the qualitative data collection methods adequate to address the research question?

1.3. Are the findings adequately derived from the data?

1.4. Is the interpretation of results sufficiently substantiated by data?

1.5. Is there coherence between qualitative data sources, collection, analysis and interpretation?”

The tool itself also required the above questions to be answered with one of three responses: “yes”, “can’t tell”, and “no”. The reviewers who were assessing the included studies found these limited responses to be overly simplistic, especially when having to make them based on the very limited reporting of the study’s methodology. As such, while all studies included in the synthesis were coded using the MMAT tool, we have decided not to report the overall scores for individual studies. Instead, the discussion will reflect on the methodological weaknesses in the reporting of the findings as a proxy for a critical appraisal of the literature.

## 2.7.2 Data extraction and synthesis

There were considerable discussions among the research team and commissioners of this study regarding the scope of the synthesis for this research. In systematic reviews, one can draw clearer conclusions from narrower and more clearly delineated areas of research, as there is greater overlap between the studies which allows for more targeted conclusions. The descriptive map detailed in the proceeding section allowed us to identify areas of research that would be best to synthesise. Due to the significant recent changes such as the impact of austerity, closures of court buildings, changes to the tribunal structure, and the impact of LASPO (2012), it was decided that a shorter time frame was more appropriate so we only included studies that were published in or after 2010. The screening tools for the synthesis are listed in Appendix three.

Systematic reviews generally allow the evaluation of what research exists within a particular field – including what is known, what remains unknown, recommendations for practice, recommendations for further research, and areas of uncertainty around findings (Gough *et al.* 2017). In order to systematically evaluate this information, the team developed a coding frame for the synthesis (the full coding tool for this has been included in Appendix five):

- A. Study background and aims (3 questions)
- B. Methodology (9 questions)
- C. Sample and context (8 questions)
- D. Interventions (only for intervention studies, 5 questions)
- E. Findings (7 questions)

The studies were coded for the synthesis by two team members working separately, but the coding tool was designed with the input of the whole team. Studies were coded by a single reviewer as a pragmatic approach for handling the volume of studies but, prior to this, the two team members doing the coding extensively piloted the tool.

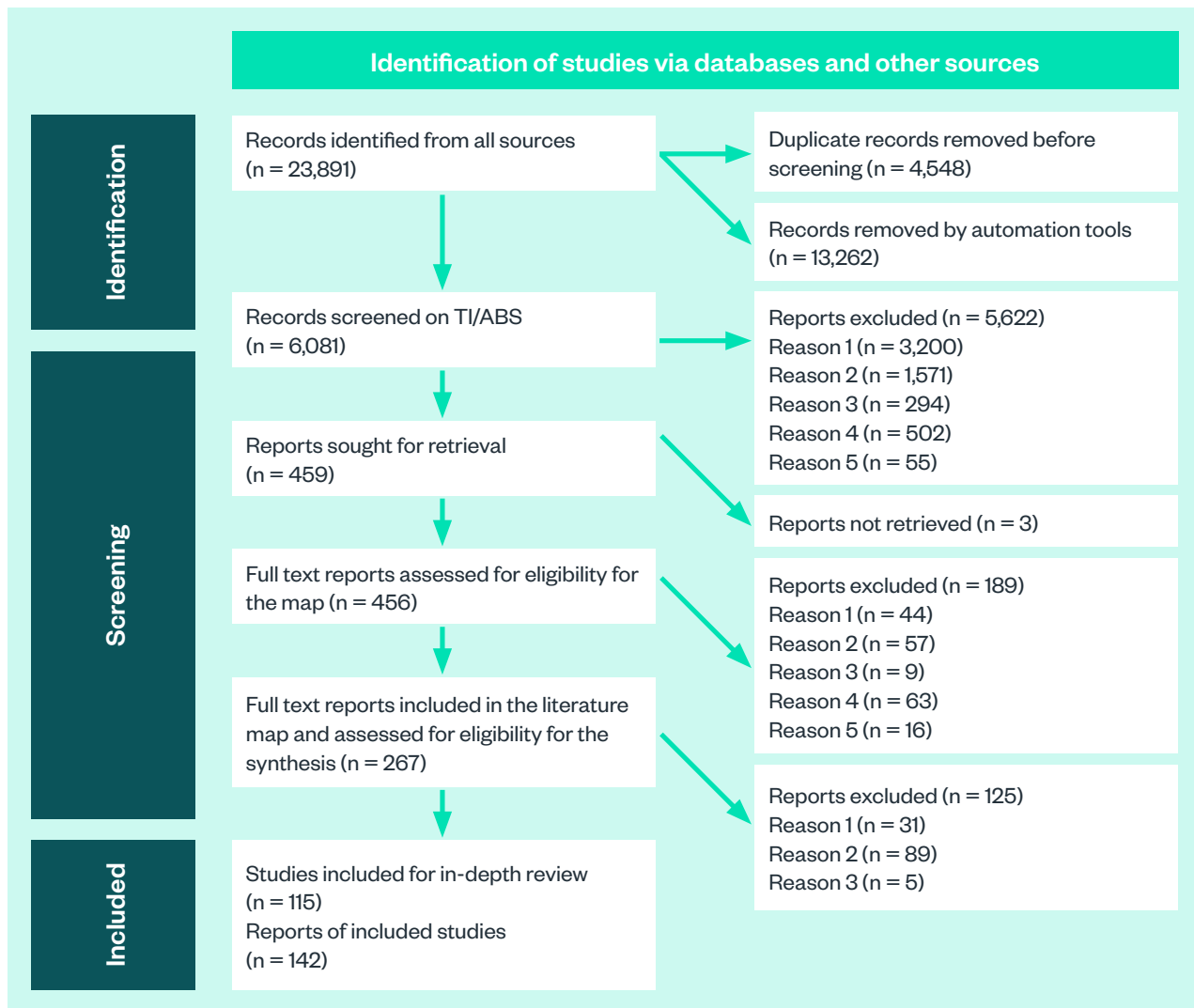
## **2.8 Ethical approval**

This research received ethical approval from University College London's Institute for Education's Ethics Board (REC2221).

# 3 Results of the search

Figure 2 depicts the flow of information through the different phases of the review. It sets out the number of records identified, included, and excluded, and the reasons for exclusions. Our searches identified 23,891 potentially relevant citation records from all sources. Following removal of 4,548 duplicates, we were left with 19,343 records. Of these, 13,262 were removed by automation tools, leaving 6,081 to be manually screened on title and abstract. Our final sample for the literature map was 267 records. The in-depth review (synthesis) comprised 115 included studies, reported in 142 separate publications.

**Figure 2: Diagram documenting the flow of information through the review process**



Note. Adapted from Page MJ, McKenzie JE, Bossuyt PM, Boutron I, Hoffmann TC, Mulrow CD, *et al.* The PRISMA 2020 statement: an updated guideline for reporting systematic reviews. *BMJ* 2021;372:n71. doi: 10.1136/bmj.n71

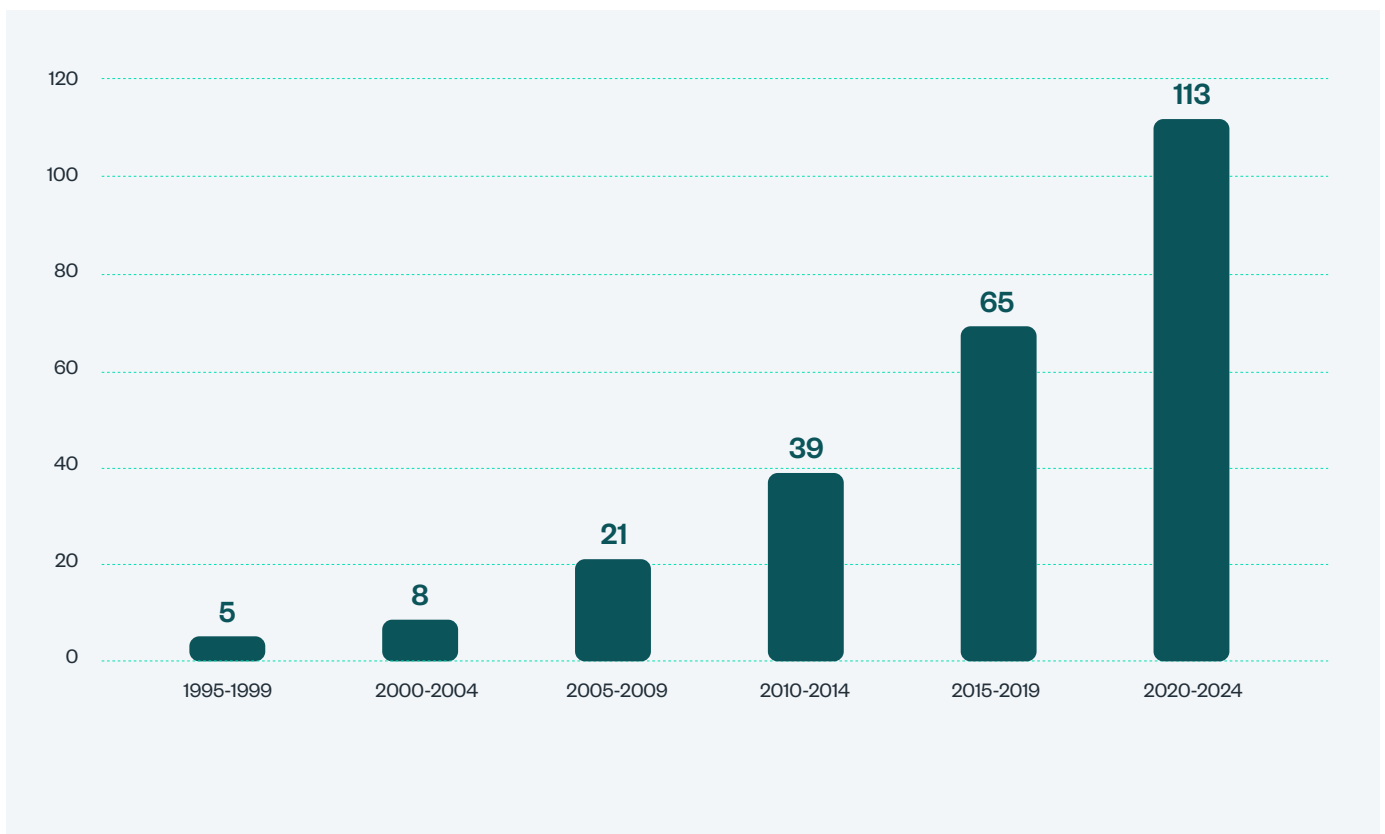
# 4 Literature map

In total, 267 references were included in the literature map. Relevant characteristics of this body of literature are detailed next, providing a useful overview of the available evidence to inform our decisions about what references to prioritise for in-depth review in stage 2.

## 4.1 Date of publication

Figure 3 provides the distribution of publication dates for when the research was conducted: 1995–1999 (5 studies), 2000–2004 (8 studies), 2005–2009 (21 studies), 2010–2014 (39 studies), 2015–2019 (65 studies), 2020–2024 (113 studies), and 2025 (16 studies).<sup>2</sup>

**Figure 3: Number of publications between 1995 and 2024**



## 4.2 Type of court or tribunal

The majority of the papers that were included in the map considered the Family and/or criminal courts (Table 1). Studies focused on tribunals and civil courts were also common. Youth Justice was the smallest category.

<sup>2</sup>The year 2025 has been left out of the Figure 3 as it was only a partial year, and also to allow for an easier division into five-year increments.

**Table 1: Descriptive map-coding count for type of court or tribunal**

Type of court or tribunal	Count
Civil	40
Criminal	93
Family	112
Youth Justice	14
Tribunal	53
Other	12
Unclear/not stated	12

Note. The total number does not equal the total number of included references as categories were not mutually exclusive.

### 4.3 Study purpose

The majority of studies explored user views and experiences of the justice system, with around a quarter coded as an evaluation of an intervention. Only some were identified as having conducted an outcome evaluation (Table 2).

**Table 2: Central purpose of the research**

Study Purpose	Count
Views and experiences	218
Evaluation of an intervention	56
Legal needs	8

Note. The total number does not equal the total number of included references as categories were not mutually exclusive.

### 4.4 Country where research was undertaken

England provided the most common location for the research identified (Table 3). In order of frequency, this was followed by Wales, Scotland, and Northern Ireland. Some of the included references reported on UK-wide studies, while others failed to clearly define which specific areas of the UK were covered.

**Table 3: Countries of studies included in the evidence map**

Location	Count
England	195
Scotland	24
Wales	89
Northern Ireland	15
UK wide	20
Unclear/not stated	15

## 4.5 User experiences featured in the included studies

The map coding used two different codes to consider user experiences. As explained above, one code collected information on the user's role within the justice system, encompassing both public (lay) and professional user roles (Table 4). This code captured both users who were participants in a study as well as justice system users whose experiences were being reported on (for example, where research data was derived from research with professional users who reported on public user experiences). An additional coding question was used to capture the public user type based on criteria that were intrinsic to the person (Table 5). Many papers included multiple categories of user experience.

**Table 4: Types of user roles**

Justice System Role	Count
Public user	
- <i>Victim/survivor</i>	58
- <i>Suspect/defendant/offender/respondent</i>	62
- <i>Appellant/claimant/plaintiff/pursuer</i>	49
- <i>Litigant in person</i>	21
- <i>Witness</i>	30
- <i>Juror</i>	5
Professional user	
<i>Professional/worker</i>	72
Other	23
Not applicable	56

Note. The total number does not equal the total number of included references as categories were not mutually exclusive.

As shown in Table 4, the broad category of professional/worker was the most common justice system role included in the evidence map, and these were typically in their capacity as research participants reporting on public user experiences. Types of professional users who had participated in these studies which considered user views and experiences included judges, legal representatives, social workers, and advice sector workers. Individuals at different stages of an investigation or legal case (suspects, defendants, offenders, respondents) were featured in around a quarter of the references included in the evidence map. A similar number of studies focused on victims/survivors, including research related to the criminal courts as well as domestic violence in the family context.

**Table 5: Types of public users**

User type	Count
Child/youth	58
Parent	74
Users with identified SEND	35
Users with poor mental health	27
Migrant/refugee/asylum seeker	15
Other	34
Unclear/not stated	74

Note. The total number does not equal the total number of included references as categories were not mutually exclusive.

Parents were the most common public user type (Table 5). This was largely driven by the volume of Family Court research included in the evidence map. The 74 studies in the 'unclear/not stated' category reflect the studies that do not focus on the experience of a particular type of user, but rather users in general.

## 4.6 When was study carried out in relation to the COVID-19 pandemic special measures

In addition to capturing the publication dates of the literature included in the map, we aimed to track whether studies were carried out during COVID-19 special measures, acknowledging that this unique period yielded specific evaluations of the justice system and also that pandemic-era experiences may not be representative of broader trends. Timing of included studies was coded as follows (Table 6):

**Table 6: Timing of studies in relation to COVID-19**

Timing of Study	Count
Prior to COVID-19 special measures (before 2020)	196
During COVID-19 special measures (during 2020 or 2021)	37
Post COVID-19 special measures (2022 or after)	40
Unclear/not stated	7

## 4.7 Visualised map of research evidence in EPPI-Mapper

The functionality of EPPI-Reviewer allows an interactive map of the studies to be produced, with a range of filters and export options. A screenshot of the EPPI-Mapper interface for this review is provided in Figure 4. The screenshot displays court type along the horizontal axis and location across the vertical axis, with the coloured circles in the image reflecting responses to the study purpose question.

**Figure 4: Visualised map as presented in EPPI-Mapper**



# 5 Overview of studies included in the synthesis

Based on the coding conducted, it is possible to report a detailed overview of the 115 included studies that provides the foundation for synthesis. Of these 115 studies, 100 studies address RQ1 (views and experiences) and 22 studies address RQ2 (interventions). This section of the report does not identify individual studies but instead reports on important trends across this sample. Many questions were multi-coded (or multiple-response), meaning that studies may appear in more than one category, and therefore the total number may be larger than the number of overall studies. The information is organised thematically under the headings of Study background, Methodology, and Sample and context.

## 5.1 Study background

### 5.1.1 Funding

The vast majority of included studies were funded in some way, with many funded by multiple sources. Ten were unfunded, and double that number made no statement of funding at all.<sup>3</sup> Of the remaining studies, many were government funded (n=32) usually by the MoJ or His Majesty's Courts & Tribunals Service (HMCTS), though sometimes by devolved governments or local authorities. Where studies were funded by an arm's length body (such as the Domestic Abuse Commissioner or Cafcass) these figures were counted separately. Of those studies indicating receipt of UKRI funding (n=13), this was a mix of research grant funding and PhD Scholarship funding. Of the four internationally funded publications (n=4), most were funded by the European Research Council, with one study supported by a grant from the Australian Research Council. Seven studies cited funding from specific university-level internal schemes. The Nuffield Foundation contributed funding to 20 studies. The remaining studies (n=9) were funded by other specialised charitable sources, including the British Academy, the Leverhulme Trust, and the Wellcome Trust.

### 5.1.2 Authorship

In terms of authorship, most studies included for in-depth review had academic authors (n=84). This includes studies completed by PhD students either as part of a doctoral degree, or as a researcher contributing to a larger study. It was far less common for studies to be conducted by corporate research or consultancy firms (n=16), by government (n=15), or by NGOs or charitable organisations (n=14). Seven studies involved independent researchers, including practicing psychologists and lawyers.

<sup>3</sup>This could be an indication of them not having been funded, or more of a reflection of the conventions of where they are published.

## 5.2 Methods

### 5.2.1 Description of method

There were issues in a range of studies regarding the incomplete reporting of the method used. A third of studies provided no, or an inadequate, description of the method. A little more than a third provided a limited description, with less than a third clearly describing the methodology.

### 5.2.2 Specific methods used in studies

Interviews were the most frequently used method type, being used in about three quarters of studies, followed by the use of secondary data in approximately a third of studies; surveys and focus groups were each used in a quarter of studies, and observations in about one fifth. A number of studies included multiple methods. As one would expect, there was considerable diversity within these categories.

Interviews were variously carried out in person, online, and via telephone. These varied in length and topics covered. Many were described as semi-structured, with others being classified as 'narrative interviews', 'in-depth interviews', 'case study interviews', 'oral history interviews', 'follow-up conversations', 'grand tour' interviews, as well as an interview series as part of a longitudinal study.

The use of secondary data included a variety of types of file and case information, annual reports, welfare reports, online forum posts and posts in Facebook groups, audio recordings of in-court meetings or mediation sessions, as well as sources of quantitative data, including the analysis of court statistics, court participant data, and administrative data with examples including those held by Cafcass, the Civil Legal Aid gateway, output data from online and other services, and HMCTS management information.

A significant number of methodologies fell into the 'other' category, which accounted for about a fifth of studies. These included 'case tracking', clinical measures, an experimental vignette study, use of roundtables and consultations that couldn't be classed as interviews or focus groups, 'co-production workshops', 'participatory workshops', 'personal accounts', audits of materials, autoethnography, 'journey mapping', 'video reflections', 'prompted craft activities', 'reports on settlement conferences', as well as a handful of studies that indicated desk-based research, and evidence reviews of various forms, usually completed in conjunction with other elements of the study.

### 5.2.3 Analysis

As mentioned previously, one of the particular areas of methodological weakness included the reporting of analysis. Overall, more than one third of studies included no or inadequate description of data analysis (such as making no reference to the type of analysis that was used), with less than a third being identified as having a clear description of data analysis, and a similar number providing a limited description (for example identifying the type of analysis, but with little further description).

### 5.2.4 Discussions of limitations, reliability, and validity

Discussion of limitations, reliability, and validity are crucial in research to establish the credibility and trustworthiness of a piece of research. All research contains limitations, and addressing these

within publications (along with strengths) further helps users evaluate knowledge claims. Two fifths of the included studies contained no discussion of limitations, reliability, or validity. A slightly smaller number provided some discussion of these (for example identifying a particular limitation of the study), with less than a third providing a clear description (such as having a clear paragraph or section that addressed one or more of these aspects).

### **5.2.5 Ethical approval**

Two fifths of studies made no mention of ethical considerations and gave no confirmation that ethical approval had been received. Around a third provided a clear discussion of ethics concerns and approval, with the remaining quarter providing some mention of ethics or having obtained ethical approval.

## **5.3 Sample and context**

### **5.3.1 Location of study**

Included studies were conducted in different geographical locations across the UK: England (90 studies), Wales (47 studies), Scotland (8 studies), Northern Ireland (6 studies). Many included data from multiple locations with the largest number utilising data from England and Wales. A small number of studies were UK-wide, while three study reports failed to clearly define the geographical coverage within the UK.

### **5.3.2 Court or tribunal**

With regards to the type of court and tribunal considered, the clearest finding is that well over half the included studies considered the Family Court. Overall, a wide range of specific courts and tribunals were researched in the included studies. In 11 studies, the type of court or tribunal was not clearly specified. These were largely studies that focused on a particular type of user, such as LiPs or users with a particular condition, such as learning disabilities. For those studies that provided data, the research focus was as follows:

Research conducted in England and Wales: Crown Court (4 studies), County Court (13 studies), Court of Protection (4 studies), Family Court (67 studies), Magistrates Court (1 study), Tax Chamber (2 studies), Social Security and Child Support (7 studies), SEND (3 studies), Mental Health Tribunal (1 study), Immigration and Asylum Chamber (9 studies), Property Chamber (1 study), Employment Tribunals (England and Wales) (10 studies), Coroners Courts (1 study).

Research conducted in Scotland: Employment Tribunals (Scotland – managed by HMCTS) (3 studies), Mental Health Tribunals Scotland (1 Study), Scottish Children’s Hearings Tribunals (2 studies), Sheriff Courts (2 Studies).

Research conducted in Northern Ireland: First-tier Tribunals (Employment Tribunals, 2 studies), Family Court (1 study).

### **5.3.3 Participant type**

Of the included studies, three quarters engaged directly with lay users in some way as part of their research. Two thirds of studies engaged with professional users as study participants.

# 6 Findings: Views and experiences

This section presents the findings from the in-depth review and synthesis (stage 2) of the first research question: what are the views and experiences of peoples who have had contact with the justice system and their causes and drivers? It considers studies published between 2010 and 2025, in the areas of civil, family, and administrative justice. Overall, 100 studies responded to this research question. Citation details are provided in Appendix six (main reports) and Appendix seven (linked reports) for all included studies. In thematically synthesising these findings it is important to recognise that they come from a diverse range of studies, which were produced in different locations and jurisdictions, in response to a range of research aims, and in an environment that is continually evolving due to legislative, procedural, and technological changes, along with other forms of natural diversity and variation. Presenting them thematically, as has been done here, glosses over some of these variations, but efforts have been made to identify jurisdictions and other contextual factors where it is central to understanding. It is also important to remember, as highlighted in the preceding section, that well over half the included studies considered the Family Courts.

The key overarching themes addressed in this section include: public users' reasons for engaging with the justice system; their desire for and use of information, advice, and support; their experiences and views of courts and tribunals in their broader lives; how their experiences reflect the state of the justice system; aspects of participation, including understanding and voice; the impact of professional staff on user experience; and the experiences of users with special and additional needs. Given the volume and nature of the research on domestic violence in Family Courts, and some of the context-specific findings of research in this area, the review and synthesis of these findings have been addressed separately in a section at the end.

## 6.1 Reasons for engaging with the justice system

The studies indicated a range of reasons as to why users engaged with civil, family, and administrative justice. The reasons varied between users, with most studies considering the choice to initiate an action. The included research suggested there being some variation depending on the type of court or tribunal users were engaging with, but for many *“they are in court [...] to address issues of great importance to them [...] they would not be there if they didn't have to be”* (Leader 2024, p. 103). A number of studies highlighted that emotional motivations outweighed financial ones (Pereira *et al.* 2014, Jones *et al.* 2023). These motivations included a *“desire to share their personal experiences and receive validation and redress after experiencing a perceived injustice”* (Jones *et*

al. 2023, p. 22), or *“to right a wrong”* (Hodge and Wolstenholme 2016, p. 1307). They showed how the strength of these motivations *“tended to overcome other barriers such as low levels of capability in managing a case, low awareness of the potential risk or outcomes of the case, or, in some cases, difficulties in finding or paying for representation or paying court fees”* (Pereira et al. 2014, p. 2). In an HMCTS review of op-out mediation in civil hearings, it was clear that some users *“wanted their ‘day’ in court, they wanted to be able to tell their side of the dispute, they wanted to be able to present their evidence to a Judge and have that Judge decide on the dispute”* (HMCTS 2023, p. 26). As one observation study captured: *“[w]hen asked by the judge what [a user] wanted, he said: ‘I want someone like you to listen to my story about what happened; I want them to apologise; I want justice”* (Jacobson 2020, p. 113).

Other motivations included the *“[d]esire to obtain financial compensation”* (Jones et al. 2023, p. 26) and *“more analytical decision-making [...] typically related to weighing up the potential costs, benefits and risks”* (Pereira et al. 2014, p. 2), as well as *“economic rationality”* (Rose and Busby 2017, p. 683). Despite believing in their case, research suggests that some Employment Tribunal users did not proceed due to these economic concerns as they *“were deterred from bringing claims because the costs they would need to meet without legal aid were disproportionate to the value of their claims”* (Sigafoos and Organ 2018, p. 7). Users *“believed in the validity of their case”* (Jones et al. 2023, p. 28, see also Leader 2024, p. 105). In some cases, the relationship between the parties had broken down so much that attending court seemed inevitable (HMCTS 2023, p. 26, Hine et al. 2025, p. 26). In a survey of civil court users, it was indicated that most *“most claimants would have avoided court action if they could”* (Hamlyn et al. 2015, p. 41), and that most tried to sort their problems in other ways before going to court. A study suggested that Muslim women *“hesitated to approach the courts because they considered this to be the last resort and, even then, they wanted to avoid it”* (Ghauri 2023, p. 89). This research suggested a general preference among the participants for resolution via an Islamic forum and *“only in the case of extreme violence would women resort to the police and the English family courts”* (Ghauri 2023, p. 86). Participants in other studies also echoed this idea that *“going to law is a last resort”* (Leader 2024, p. 104).

In the case of tribunals, there was evidence that issues in first-stage decisions were often the cause of the reasons for engagement:

*“Multiple systemic issues and barriers either exacerbated or triggered legal problems. These included complex and problem-prone processes, particularly in disability benefits, asylum and housing processes including poor first-stage decision-making, misinformation, delays, and dismissive and hostile attitudes.”* (Mulqueen and Wintersteiger 2025, p. 6)

In the cases of vulnerable users, their vulnerabilities were often *“entwined with the nature of their legal issue”* (Harrison et al. 2024, p. 2), and in a study of LiPs these were found to be *“fundamentally connected to the legal proceedings in which that person is acting”* (Leader 2024, p. 95). Users often experienced clusters of problems, with one study finding that *“most [participants] had experienced between four and six interrelated problems”*, which often clustered around either loss of income and employment related problems, or a broad spectrum of family problems (Mulqueen and Wintersteiger 2025, pp. 5-6). Some studies indicated reasons why people didn’t engage with tribunals as including a lack of awareness, the complexity of redress systems, a lack of access to advice, power imbalances, fear, and being generally overwhelmed (especially in the context of clustered problems) (Nason et al. 2020, p. 11, Mulqueen and Wintersteiger 2025, pp. 6-7).

## 6.2 Sources of information, advice, and support

Lack of knowledge and information was cited by many studies as a key barrier for public users, especially litigants in person (LiP) (Harrison *et al.* 2024). The Equal Treatment Bench Book defines LiPs as “*individuals who exercise their right to conduct legal proceedings on their own behalf*” (Judicial College 2026, p. 10), though it is important to recognise that this includes a very diverse group. For some users, it was not an absence of information that was problematic, but the lack of ability to identify high-quality and authoritative information (Pereira *et al.* 2015). Having the right attitudes (objectivity, confidence) and skills (preparing documents, speaking confidently) was also very important for users (Law for Life 2014, pp. 3–4). The type and scale of assistance required depends very much on the user, their skills, and their networks:

*“Unsurprisingly those with greater levels of education, social capital and economic resources on which to draw are better able to navigate the system and to engage with relevant legal processes. Those with less resources and additional difficulties such as low levels of written and/or spoken English rely more heavily on the advice and support of the CAB. For such claimants, even ‘simple’ claims can prove to be very complex.”* (Busby and McDermont 2020, p. 178)

Similarly, “[LiPs] are diverse in their socio-demographic profile, in their approach to self-representation, personality type and capability to self-represent” (McKeever *et al.* 2018, p. 16).

### 6.2.1 What users needed to understand

Access to suitable high-quality information was listed as an enabler by a significant number of studies, and the lack of it as a barrier by many others. Included studies indicated that information and support needs are very much dependant on the type of hearing and its complexity, whether users are represented, as well as on their particular skills, experiences, and circumstances. However, broadly users wanted and needed information on:

- Understanding their rights and the specific routes to redress (Nason *et al.* 2020, p. 13).
- Knowing what will happen in court, what the legal process will be like, and how to prepare (Mant 2022, p. 3).
- Finding and completing the correct forms (including understanding purpose, language, and concepts) (Law for Life 2014, pp. 3–4).
- Knowing what the court would look like and who would be there (Kantar Public 2018, p. 19).

The availability of information does not necessarily suggest that it will be engaged with, as users may not have the appropriate level of awareness or resources to find it: “*LiPs found access to information and assistance equally problematic due to financial and time constraints or lack of knowledge as to the sources of information.*” (Lee and Tkacukova 2017, p. 13). Further reasons given for not seeking advice included being not able to afford it and a belief that they could manage without it (Lee and Tkacukova 2017, p. 7). In a study of users with multiple complex needs, findings suggested that the users frequently did not engage with court service resources: “*HMCTS services were either not visible to them or were seen as difficult to use [...] [they] are instead accidentally finding their own sources of support or are not accessing any support at all*” (Hanrahan 2021, p. 12). Alarmingly:

*“Seriousness did not always preclude people from trying to handle things alone, including tribunal proceedings, child protection proceedings and homelessness processes. Handling problems alone tended to result in unnecessarily protracted struggles and forms of resolution that fell short of potential entitlements.”* (Mulqueen and Wintersteiger 2025, p. 7)

A key need for information related to the ‘translation’ of the problem they were facing into a legal issue and recognising how to resolve it (Harrison *et al.* 2024). Some areas are also particularly difficult to identify the most appropriate form of redress, such as in the case of education where *“there has not been a consolidation of the redress systems [...] where different redress routes lead to different outcomes [and] [m]aking the wrong choice could lead to missing a time limit for a tribunal or judicial review action”* (Nason *et al.* 2020, p. 12). This led the authors to the conclusion *“that it was essential that the public can access information on the different redress systems in one place and gain a sense of how they relate to each other”* (Nason *et al.* 2020, p. 13). Users often aren’t aware of their rights – for example, parents of children with SEND who had experienced school exclusion appeals did not know that they could appeal to the SEND Tribunal (Hodge and Wolstenholme 2016).

When users don’t have access to appropriate support and advice, it severely impacts on their experiences of the justice system. A number of studies indicated that LiPs don’t know how to prepare or what a hearing will involve (Barry 2017, Mant 2022), and showed a lack of awareness of time frames, processes, and complexity (Jones *et al.* 2023). Studies indicated that the information required wasn’t always available:

*“LiPs generally took steps to prepare their cases. Their expectations of having information and support available were not met. There is a dearth of information and advice on the practical, procedural and legal issues relating to their court proceedings and on how to self-represent.”* (McKeever *et al.* 2018, p. 17)

This can severely impact on how they experience the case:

*“LiPs themselves are more likely to experience isolation and confusion within the process without consistent and appropriate guidance. As a result, interviews with these 15 LiPs revealed that hearings were often experienced as unpredictable and erratic.”* (Mant 2022, p. 135)

Similarly, a special guardian without assistance indicated:

*“she had no warning or explanation as to what the court proceedings would be like and what she should expect. She also felt ‘a lot of the information that would’ve helped us make an informed decision much earlier was not given to us, was not shared with us’ and this contributed to ‘very fast paced, frantic and anxiety inducing’ proceedings.”* (Harwin *et al.* 2019, p. 121)

Users also expressed a desire for information that will help them manage their expectations, but found resources lacking: *“not enough information providing a realistic insight into what they should expect to happen during the hearing, or the environment inside the courtroom itself”* (Jones *et al.* 2023, p. 59). A handful of studies indicated that court or resolution spaces were of particular concern: *“in civil, family, and tribunal cases suggested pre-trial visits, but where pre-trial visits weren’t practical, users suggested online videos to give a sense of the layout and feel”* (Kantar Public 2018, p. 19). Children also expressed a desire to have access to advice and information (Emerson *et al.* 2015, p. 9). It is important to note that users needed this information to be presented in simple

language and in a format that suitable to their needs; however, this aspect will be addressed in detail later in this report.

## 6.2.2 Advice provision

There is clear evidence that seeking advice had many advantages: *“seeking legal help played an important role in increasing their knowledge, awareness, and confidence in bringing their case to court”* (Jones et al. 2023, p. 37) and *“[w]here people had accessed legal and advice services this usually led to successful outcomes, including access to social care, successful benefits appeals, debt relief orders, immigration and asylum appeals”* (Mulqueen and Wintersteiger 2025, p. 7). A survey of civil court users indicated that *“most claimants said that they sought advice on whether or not to make a claim before they made the claim”* (Hamlyn et al. 2015, p. 56). Other studies indicated that users often did so at a late stage, when the issues had already escalated (Barry 2017, Mulqueen and Wintersteiger 2025).

Users indicated that they sought advice from a range of services including their personal networks and third sector services, as well as from the internet and social media. Often the first area of assistance was from personal sources. However, this may cause concerns:

*“Friends, family and the wider community were important resources for participants, providing emotional and material support, as well as information and practical help to deal with law-related processes. However, reliance on informal sources of help in some cases led to delay, misdirected action, or inaction.”* (Mulqueen and Wintersteiger 2025, p. 7)

User expectations came from *“previous direct experience of friends and family, and some from wider sources, such as TV or internet searches”* (Kantar Public 2018, pp. 10–11).

Many studies have highlighted the numerous free sources that users access in order to obtain information and advice:

*“Litigants in person involved in the research reported that there was a lot of information available from a variety of sources including free advice services such as Citizens Advice, internet sources such as the MoJ website, Martin Lewis’ Money Saving Expert, online communities and forums, and videos on YouTube. [...] However, despite a wealth of information being available, some reported that information and guidance could be complicated and difficult to navigate.”* (Jones et al. 2023, pp. 42-43)

These extensive and diverse offerings were often overwhelming:

*“There remains a lack of co-ordinated online resources for LIPs which leads to confusing and inaccessible advice being consulted from a myriad of forums. This is a situation that continues despite various reports espousing a more joined up approach. The MOJ’s website fails to reach the attention of LIPs, partly because they are unaware of its existence. Even when accessed, the language is targeted at legal professionals rather than members of the public.”* (Barry 2017, p. 264)

A number of studies, including HMCTS-commissioned research, indicated that information from the court service itself was lacking, as were certain end-to-end services (Kantar Public 2018, Frontier Economics et al. 2025). The available information was also uneven with *“gaps’ in topic areas”*

and with “different organisational sectors hav[ing] different strengths and weaknesses in their information provision for litigants in person” (Law for Life 2014, p. 4).

Speaking to an advisor about their issue could often be difficult: “participants’ experiences point to inconsistencies in referral pathways, limitations on the capacity of local service providers and the scope of legal aid, as well as very limited awareness of sources of advice” (Mulqueen and Wintersteiger 2025, p. 7). Access to these services is also geographically patchy (Nason et al. 2020, p. 10) with these services “over-stretched [...] [t]here was a feeling that advice services generally can be quite ‘hit and miss,’ and more could be done to provide clear and easy read information to people about their rights, including their rights to independent legal advice, as early on as possible” (Nason et al. 2020, p. 10). Regardless the research highlighted the important role that advisors played in ‘translation’ of their concerns into legal problems (Busby and McDermont 2012):

“Advisers are involved in complex processes of interpretation, pinpointing whether a legal problem exists and identifying what can be done about it. They ‘translate’ back to their client whether and how employment law relates to their case.” (Busby and McDermont 2020, p. 177)

Other research highlighted issues with the concept of ‘translation’ as users issues may not be transformed easily or neatly into legal problems (Leader 2024).

For many users, the internet is becoming an increasing source of advice:

“We heard that social media (particularly Facebook groups) are increasingly the forum where people go to seek advice, and there is considerable peer-to-peer activity, felt necessary (it is argued) to fill gaps in traditional provision through bodies such as CAB Cymru (which has experienced budget cuts and service reductions).” (Nason et al. 2020, p. 11)

This was echoed in other studies that highlighted the important emotional and community aspects of these online spaces that “provide forms of support that are not available from official sources of help” (Mant 2022, p. 147):

“The vast majority, [...] reported that they relied upon social media as a source of information and support during their time in the process. For many LIPs, Facebook groups in particular provided an important source of community through which they could access continuous support from other people who understood what they were going through [as one participant explains] ‘Well I found my way onto a couple of websites – we call it the secret mummies group, but it’s basically women in the same situation. And so, some advice I got from there. To be honest, I found the secret mummies group more helpful than the legal advice because it’s ongoing’” (Mant 2022, p. 145).

However, some users struggled to navigate online sources:

“I did [research on the internet] but there was such conflicting matters and because I was all over the shop emotionally, I was kind of bouncing to and from different points.... There was no kind of, “Step A, step B, step C, step D.” It’s extremely complex... It was so hard. It was like another language” (Participant from Lee and Tkacukova 2017, p. 13).

This leads to the conclusion that “social media may hold both essential benefits as well as concerning dangers” (Mant 2022, p. 146). It is an “unregulated space through which LIPs may seek and circulate misunderstandings” (Mant 2022, p. 148) which included “perpetuat[ing] adversarial attitudes” (Mant

2022, p. 118) the troubling advice that *“the most important aspects of a case is telling your story in your own words in a truthful manner to gain the judge’s respect had been obtained from experienced LIPs and support groups providing advice on the internet”* (Barry 2017, p. 94). Finally, it is also a source of support post hearing:

*“The importance of peer-based support through community groups and social media was also noted as important for coping with the aftermath of the family court.”* (Hunter et al. 2024, p. 4)

### 6.2.3 Representation and legal aid

Access to publicly funded legal advice and/or representation was frequently cited as improving people’s experiences under a range of circumstances, including for those with vulnerabilities<sup>4</sup> (Harrison et al. 2024), for LGBTQ+ people applying for asylum (Alessi et al. 2025), and in highly emotive cases (Jones et al. 2023), among many others. Most appellants in social security cases did not have legal representation, but *“legal representation appeared to make a tangible difference”*, with this particular study highlighting several cases where this was crucial to the outcome (Barnard and Ludlow 2022, p. 13). There are also contexts where representation is *“essential”* due to the *“complexity of the proceedings or the capacity of the litigant”* (McKeever et al. 2018, p. 15). Broadly:

*“Court users in all types of court reported that contact with solicitors and barristers had a positive impact on their court experience. They stated that they were reassured by having someone on their side who could fully explain the court process to them”* (McLeod et al. 2010, p. 33).

For many, including some of the most vulnerable, the presence of a legal aid solicitor was not only helpful in providing them with legal advice, but also was able to ensure improved running of the legal process. A survey of civil court users indicated that:

*“[t]he main reasons cited by claimants for why they had obtained legal representation or advice were: because they needed the expertise; because it was free/‘no win no fee’; to ensure they achieved the outcome they wanted, or because they were advised to”* (Hamlyn et al. 2015, p. 43).

Users highlighted higher levels of satisfaction when their representation showed support and care such as *“when their solicitor or barrister took time to explain issues relating to their case”* (McLeod et al. 2010, p. 34), explaining legal terminology, or arriving early to speak to their client (Hunter and Campbell 2026, p. 11). Furthermore, users valued *“the robustness of challenges made by their lawyer on their behalf and how accurately their lawyer conveyed their story and wishes to the court”* (Hunter and Campbell 2026, p. 12). Negative experiences with representatives can mean that users don’t seek representation in future cases (McKeever et al. 2018, p. 17), and a study of LiPs – some of whom had previously used solicitors – highlighted that criticism usually stemmed from a *“feeling of not being listened to, or not having their experiences sufficiently taken into account”* (Leader 2024, p. 85). An HMCTS-commissioned study in the civil and Family courts found that *“[p]articipants who used legal representation often reported low levels of awareness of the court process and low confidence in their knowledge and skills to represent themselves”* (Jones et al. 2023, p. 38).

<sup>4</sup>‘Vulnerability’ is a term that is used by a range of studies in this review with some variation, and strictly speaking there is no agreed-upon definition. It is often raised in relation to a specific condition, characteristic, or particular need an individual or group may have that may affect their ability to participate. The HMCTS vulnerability study included in this review defines ‘vulnerability’ as “as a situation where the interaction between the individual and the system within which they are trying to address a legal issue results in a heightened risk of harm to the individual” (Harrison et al. 2024, p. 9).

### 6.2.3.1 Legal aid and the impact of LASPO

The studies included in this sample, straddled the implementation of LASPO (April 2013), so the true impact of these changes are only evident in studies from the last decade. The cuts to legal aid that came as a result of LASPO were frequently cited as being an enormous barrier: “[w]ithout legal aid almost all the participants struggled to resolve their problems” (Sigafos and Organ 2018, p. 7). Accessing legal aid is essential for some users to bring their case to court: “across both civil and family cases legal aid recipients emphasised that they would not have been able to bring their case to court without legal aid” (Jones et al. 2023, p. 50). Many, including this example, highlighted the advantages, including in outcomes:

*“Those who were party to [the [special guardianship] proceedings and had funding for legal advice felt it gave them the advantage of being able to defend themselves in court and crucially, also to ensure that they received financial and support plan that suited them.”* (Harwin et al. 2019, p. 121)

The impact of obtaining legal aid funding was described as a “a lifeline” (Coym et al. 2015, p. 64). This having been said, there is evidence that users’ knowledge of legal aid was low; this included “existence of civil legal aid, the legal aid process, and the legal process in general” (Jones and Tailor 2024, p. 23).

For those who were eligible to receive legal aid, there was either a lack of solicitors working in the relevant area(s) of law, with many solicitors not providing services funded by legal aid, or where solicitors were providing such services, they were struggling under excessive demand (Family Rights Group 2018, Independent Domestic Abuse Services 2020, Harrison et al. 2024, Jones and Tailor 2024, Alessi et al. 2025). Some legal aid practitioners “reported frequently turning away prospective clients because their organisation was at, or close to, capacity” and “prospective clients who had previously been turned away had attempted to re-establish contact because they were unable to find another provider” (Jones and Tailor 2024, p. 18). Furthermore, “[p]articipants from organisations which often handled urgent cases reported having to prioritise incoming requests and try to ‘fit in’ clients where they could. Participants emphasised the impact of this on the progression of other cases” (Jones and Tailor 2024, p. 18). The delays in being able to access legal aid also compound concerns.

Studies involving domestic abuse also highlighted barriers to accessing public funding and the issues associated with the means-testing of legal aid for domestic abuse survivors. The level at which means-testing is set can operate as an exclusion mechanism:

*“The bar for legal aid is set so low that pretty much any woman with a job has to fund their own legal costs [...] This creates the situation whereby women who have lived through abuse, are terrified of losing their children, are frightened of their partner and are traumatised, are having to navigate court alone, without advice, representation or guidance.”* (Participant/survivor Domestic Abuse Commissioner 2023, p. 62)

Many users self-represent due to ineligibility for public funding or private legal representation being unaffordable:

*“Many of the LIPs had applied for and did not qualify for publicly funded financial assistance for legal representation but could not afford the cost of representation. [...] Some LIPs made an analysis of*

*the costs and benefits of representation and decided they could not justify the cost for the benefit or value they felt it offered” (McKeever et al. 2018, p. 17).*

Those who did pursue legal representation despite the costs, then faced the ongoing consequences:

*“Women who were not eligible for legal aid accrued significant debt as a result of responding to child contact applications. This was debt that they knew would be a burden for years, constraining their opportunities for employment, holidays and where they could live, and limiting what it was possible to do with and for their children” (Coym et al. 2015, p. 64).*

The findings of one study indicated that the overall impact of LASPO on peoples’ lives was:

- *“Unresolved welfare benefits issues resulted in financial deprivation, including in some cases a risk of homelessness and an inability to pay for necessities such as food, heating and electricity.*
- *The difficulty of resolving legal issues caused physical, emotional and mental health problems.*
- *Children’s lives have been affected by unresolved legal problems, particularly in relation to family law.*
- *Costs may be incurred in other parts of the justice system and the public sector as a result of cuts to legal aid.” (Sigafos and Organ 2018, p. 43)*

The study by Jones and Tailor (2024, p. 24) into civil legal aid indicated that users had difficulty in providing proof of eligibility for legal aid, especially the requirement to provide proof of domestic abuse. Others had issues due to *“a lack of digital access or low literacy skills”* (Jones and Tailor 2024, p. 33), as well as *“gathering financial documents, including bank statements”* (Jones and Tailor 2024, p. 41). Furthermore *“legal issues did not map neatly onto categories of law within the scope of legal aid, such as ‘clustered’ legal issues”* (Jones and Tailor 2024, p. 24). There were also difficulties obtaining and paying for interpreters, which created barriers for those with low levels of English accessing legal aid. Other barriers for clients included the requirement in some cases to provide a contribution towards legal costs. There were also concerns raised about the lack of information from referral services:

*“the need for reliable and accurate information surrounding the scope, process, and eligibility requirements to be shared with prospective clients from referral sources. They felt that low awareness of civil legal aid from some referral sources further compounded this, particularly regarding the nuances in civil legal aid.” (Jones and Tailor 2024, p. 36)*

The ‘fixed’ fee structure of legal aid meant that solicitors were put off taking on cases with users who had additional needs, leading to claims of a *“disproportionate impact on disabled people”* (Sigafos and Organ 2018, p. 13), especially as they required additional time and support (McGhee and Hunter 2011, p. 9). For example:

*“Where a court user received legal aid, case fees were ‘fixed’ at a single rate for all clients, regardless of their support needs. This meant that, from a solicitor’s point of view, cases involving vulnerable court users could involve a considerable extra workload for no additional money. Solicitors described*

*this as a disincentive to take on such cases, and court users involved in cases of this type reported that they had encountered difficulties in accessing legal representation.”* (McLeod et al. 2010, p. 23)

While the presence of a lawyer can be seen as those in vulnerable situations having the necessary legal safeguards, there is evidence to suggest that some users may experience this as exclusionary, and as a limit to their participation. In the case of public law care proceedings, where parents have access to a lawyer via legal aid, “[b]eing legally represented can be felt by parents as ‘undermining’ and ‘silencing of their voice’ as their ‘stories’ are pared down to their significance to the legal process” (Hunter and Campbell 2026, p. 10), with parents also indicating that some lawyers were “making critical decisions on their behalf without giving them time to fully reflect” (Hunter and Campbell 2026, p. 11). This leads to the conclusion that “Lawyers can indeed function as a facilitator or enabler of participation in hearings, but they are also gatekeepers who can sustain informational barriers that can undermine parents’ understanding and participation in the proceedings in a way that is meaningful to them” (Hunter and Campbell 2026, p. 15). Representation in urgent care proceedings was highlighted in one study as being where issues of access to legal advice and the quality of representation were evident: “All too often in the focus groups, professionals described standards which fell short of best practice, largely due to discontinuities in lawyers assigned to their care, short-notice, but also the particular challenges of giving and receiving legal advice in the immediate post-partum period” (Broadhurst et al. 2022, p. 18).

### 6.2.3.2 Representatives for the other side

In semi-represented hearings, LiPs often struggled to engage with the opposing representatives: “Negotiating with or even contacting the representative of the opposing party was often problematic for LiPs or not done at all” (McKeever et al. 2018, p. 18). For some LiPs, having the other party represented led to the feeling of being disadvantaged:

*“you will not get a fair shake from the courts if you are a litigant in person and your opposing side is not, they got representation you will get screwed because it’s not about the law in those circumstances, it’s about who’s got the most toys [...]”* (participant in Leader 2024, p. 153).

Similarly, “in instances where the opposing party did have access to legal representation, participants reported feeling at an unfair disadvantage, once again leading to a power imbalance” (Harrison et al. 2024, p. 2). Users also “felt that their opposing lawyer had tried to take advantage of them in some way” and “would actively use their legal knowledge and their understanding of court customs to try and deny LiPs opportunities to participate in their hearings” (Mant 2022, p. 117). Furthermore, “LiPs were frequently mistrustful of judges when they observed them engaging in collegial or friendly interactions with opposing lawyers” (Mant 2022, p. 108). The complexity of legal language exchanged between judges and opposing representation left LiPs feeling like outsiders and “this exclusion was also experienced as a result of the ways that lawyers were able to frame hearings using their legal knowledge and professional skill” (Mant 2022, p. 118). Finally, “the absence of an opposing advocate meant that they felt more included in the discussions which took place during hearings, and were left feeling that their judges had helped them to engage with the law” (Mant 2022, p. 116).

## 6.2.4 McKenzie Friends

Given the issues with finding suitable representation, as well as costs, there is evidence of the increased use of McKenzie Friends, which is “*an individual who assists an unrepresented party in court by taking notes, quietly making suggestions or offering advice and guidance*” (Judicial College 2026, p. 23), to provide support for LiPs:

*“McKenzie Friends were described as important for helping them to either speak up in the courtroom or effectively prepare paperwork in advance of hearings. In practice, these McKenzie Friends were important resources through which these LiPs were able to overcome the constraints on communication that they experienced within the family court process, and ensure that they were heard within proceedings.”* (Mant 2022, p. 99)

At the same time, a number of studies highlighted concerns that this may put them “*disproportionately at risk of accessing inappropriate or inaccurate support*” (Mant 2022, p. 104), especially those that “*may stray into the realm of charging fees in exchange for more non-traditional services, such as those relating to advice-giving and acting as quasi-representatives during hearings*” (Mant 2022, p. 102). There is significant variation in this role and concerns around the quality of support:

*“No mechanism exists for assessing their value or performance. There is no consistency in the procedure for McKenzie Friends to be admitted to court with a LiP.”* (McKeever et al. 2018, p. 18).

## 6.2.5 Other forms of support

The research suggests that users, especially vulnerable users, often had support needs that went beyond legal advice or information, and that these needs continued beyond the resolution of the case. Forms of general practical and moral support enabled participation and minimised stress:

*“Court users with mental health conditions, learning disabilities and limited mental capacity therefore reported that they benefited from support that helped them deal with these situations. They explained that having access to basic practical and moral support, such as being accompanied on the journey to court, receiving regular updates on the progress of the court case, and having someone to talk to during the day, could alleviate stress and prevent fluctuations in mental health.”* (McLeod et al. 2010, p. 31)

Many users highlighted “*emotional support needs*” (Hanrahan 2021, p. 12), which at times pushed them towards seeking alternative sources of information, such as social media, that were able to provide more emotional types of support (Mant 2022), as was addressed in the earlier section. This is made all the more important because: “*social, psychological, cognitive, emotional and other needs and vulnerabilities not only impeded court users’ capacity to engage effectively with court proceedings, but were also heightened or exacerbated by the fact and nature of the individuals’ involvement in those proceedings*” (Jacobson 2020, p. 117). This highlights the need for multiple and varying types of support, especially for vulnerable users (Harrison et al. 2024). This diversity of needs, requires a multiplicity of solutions: “*difficulties [...] varied widely and there is no single solution that will overcome them [...] [s]everal solutions are needed*” (McKeever et al. 2018, p. 19).

### 6.2.5.1 Needs of specific groups, intersectionality, and compound disadvantage

Research highlighted the enormous diversity of groups, with diversified needs that arose from them – including economic poverty, gendered and racialised experiences, disability, mental health, and digital poverty (among others) (Hunter *et al.* 2024, Mulqueen and Wintersteiger 2025). Research also highlighted the ways in which different forms of disadvantage cluster and intersect:

*“Among the wide array of court users’ individual, socio-cultural and structural needs were those arising from: mental health problems; learning and behavioural difficulties; substance misuse; physical illness and disability; family and relationship breakdown; childhood trauma; bereavement; poverty; homelessness; prior offending or imprisonment; and prior experiences of discrimination, persecution and other forms of victimisation. For the most part, different forms of need and loss converged in individuals’ lives, producing ‘multiple layers of disadvantage’”* (Jacobson 2020, p. 115).

There was very little research that focused on the specific needs of different types of users, and due to methodological choices and sampling, analysis by sub-group was not possible. There were clear calls for greater research in this area:

*“More research is needed to address the specific needs of different specified groups in accessing justice including children, ethnic minorities, people with physical and mental disabilities, among others each of which will have diversified needs.”* (Boyle *et al.* 2022, p. 149)

### 6.2.5.2 Post-proceedings support required

A range of studies – in particular those which focused the Family Court and especially on care proceedings – showed that improved post-proceedings support is required. This includes:

- For mothers in care proceedings: *“felt abandoned by services once proceedings had concluded”* (Broadhurst *et al.* 2017, p. 75).
- For children following parental separation: *“some of the young people in the study felt highly involved in their parents’ separation and would have benefited from further support with this.”* (Jones 2023, p. 38)
- For special guardians: *“many special guardians felt post order support was needed to address problems such as financial issues, child behavioural and developmental needs, parenting advice and contact support.”* (Harwin *et al.* 2019, p. 123)
- For fathers with Intellectual Disabilities (ID) in care proceedings: *“that fathers with ID require consistent, well-coordinated, and long-term support so that the profound trauma of child loss experienced by many of them can be addressed once court procedures conclude. This includes relevant training, supervision, and liaison between all involved services (led by an external practitioner) from midwifery and fertility clinics all the way through to adult social care, advocacy, and mental and physical health sectors.”* (Pytlowana and Kroese 2021, p. 322)

It is perhaps not surprising that other forms of care and support are required around care proceedings given that the *“families involved had a high level of socio-economic deprivation and vulnerability [...] They had complex needs involving several members of the family and a number of statutory agencies (health, mental health, substance misuse, domestic violence, social care*

etc.)” (Mandin 2017, p. 335). These recognised gaps were often being filled by the voluntary sector: *“Voluntary sector services were the main providers of assistance, including counselling, especially after children had been removed and parents felt largely abandoned by the statutory system.”* (Hunter et al. 2024, p. 4)

### 6.2.5.3 Promise of integrated models

There have been specific interventions that have focused on exploring outcomes where additional and integrated support has been made available. This includes the Family Drug and Alcohol Court (FDAC), which is less adversarial and *“demonstrates that a more humane way of conducting proceedings can be achieved, without the principles of justice being compromised”* (Family Rights Group 2018, p. 36). Parents with previous experience of proceedings indicated that the FDAC was a *“more helpful court process, one that gave them a fair chance to change their lifestyle and parent their child well”* giving them *“practical and emotional support and treatment intervention”* (Harwin et al. 2014, p. 22). Outcomes were also improved:

*“a significantly higher proportion of FDAC mothers had ceased to misuse substances (46% versus 30%) [...] [and] a significantly higher proportion of FDAC than comparison families were reunited or continued to live together (37% versus 25%) at the end of the proceedings”* (Harwin et al. 2014, p. 18).

## 6.3 Courts in the context of lived lives

Studies highlight the disruptive impact of legal proceedings on life more broadly. As will be highlighted in the ‘costs’ section below, users described *“the ‘relentless’ nature of proceedings as entrapping them and as an omnipresent influence on their health, well-being, work, mothering, and lives broadly”* (Dalgarno, Ayeb-Karlsson, et al. 2024, p. 291), leaving them feeling like they are *“having a separate job”* (Hine et al. 2025, p. 10), and the *“invisible labour of managing court-related activities, which they felt brought added pressures and trauma to their lives”* (Dalgarno, Ayeb-Karlsson, et al. 2024, p. 284). For the most needy, this occurred in the context of a range of other concerns and difficulties, such as in the context of care proceedings:

*“it was not that poverty per se leads to care, but that poverty makes it all the more difficult for families to cope with the other stresses they were facing. On top of pressure to make income from work or benefits stretch to cover the basics of family life, there were the strains of poor housing, overcrowding, and the threat of enforced movement from family, community and familiar places. There was the constant juggling of several low-paid jobs at the same time, coping with benefit sanctions and other hostile treatment from officials, as well as meeting the expectations of children’s social care in relation to attending meetings, getting to appointments with a range of different services when transport is expensive, if available at all.”* (Family Rights Group 2018, p. 48)

Research illustrated that the previous experiences affected users’ perceptions of what was happening in a particular process. Once again, in the context of care proceedings, *“negative experiences of a first experience shape their expectations of the next”* (Broadhurst et al. 2017, p. 73), where *“[w]omen described leaving the court, feeling not only by the loss of their children, but also damaged by the process itself”* (Broadhurst et al. 2017, p. 72). Similarly, in Immigration Tribunals, the adversarial system, experiences of border enforcement, and the general hostility and disbelief they faced in their dealings with the Home Office impacted on their perceptions of the efficacy of the

justice system (Gill *et al.* 2021). Users described the “*frustrating and humiliating*” health assessments in the Social Security Tribunal, these “*were described as traumatic, with numerous appellants claiming to be highly distressed by the processes of the medical evaluation and the tribunal hearing*” (Barnard and Ludlow 2022, p. 18). Users often struggled to separate the negative experiences that they had with first-instance decision-making and other interrelated concerns, from their experience with the justice system:

*“Their perceptions reflected their wider experiences of marginalisation, related to a range of interrelated factors, including disability, mental ill health and prior trauma, as well as more specific experiences with the legal system. More recent encounters with the administrative state, including its digital interfaces, as well as more powerful actors such as landlords and employers, undermined their integrity, humiliated and depersonalised them, further exacerbating their sense of alienation from law and rights.”* (Mulqueen and Wintersteiger 2025, pp. 7-8)

This also suggests that current experiences and views will impact any future engagements with the justice system, which may be rapidly forthcoming in the case of clustered problems or problems that were not adequately resolved (Leader 2024, p. 142).

### 6.3.1 Emotions

Emotions were present in many accounts, including as the reasons for bringing a case, as well as being a consequence of engaging with a legal process. Engagement with the courts and tribunals was also frequently happening in an emotional context and “*often came on top of a protracted dispute, loss of a job, financial and emotional instability and uncertainty about the future*” (Busby and McDermont 2020, p. 179). Similarly, “*emotions were compounded by unsuccessful attempts to resolve matters using alternatives*” (Jones *et al.* 2023, p. 29).

Anxiety was frequently mentioned in studies, and this was often in relation to both the hearing itself as well as the wider impact it may have on users’ lives (Hanrahan 2021, p. 11). Uncertainty and unfamiliarity with the environment exacerbated this: “*not knowing what to expect intensified anxiety*”, which included anticipation of an “*alien environment*”, “*fears of an unknown process*”, “*uncertainty about the expectations on them*”, and “*concerns with how they will be treated by staff*” (Kantar Public 2018, p. 11). This “*anxiety of the unfamiliar*” (Kitzinger and Kitzinger 2016, p. 4) was raised by multiple studies and is perhaps the reason why certain participants indicated that a full hearing “*tended to be less stressful than the path to it*” (Busby and McDermont 2020, p. 179). Litigants in person especially “*felt out of place, like outsiders*” (McKeever *et al.* 2018, p. 15).

Numerous studies show the clear links between users’ emotional experiences of the hearing and their willingness to engage with it. Heightened emotions often acted as barriers to engagement in the Social Security Tribunals (Barnard and Ludlow 2022). Similarly in the context of education and the SEND tribunal “*the emotional element makes it hard for them [users] to pursue complaints*” (Nason *et al.* 2020, p. 13). Studies expressed this finding in relation to the impact of the emotional state of users in mediation in the Employment Tribunals (Boon *et al.* 2011) and in Family Court care proceedings: “*parents feel alienated, confused and attacked in court and this can lead to disengagement with the process and fuel hostility towards support services*” (Family Rights Group 2018, p. 36). There is often a significant emotional weight to what is happening in a legal process, and this was very clear in a range of circumstances including care proceedings where mothers “*described fear, shame and isolation within the courtroom*” (Broadhurst *et al.* 2017, p. 70), and felt “*on the outside*” (Broadhurst *et*

al. 2017, p. 72). For many, giving oral evidence was particularly difficult, such as in the case of family relocation disputes:

*“Whether they won or lost, parents generally found the court hearing to be ‘horrible ... emotionally distressing’ (Eileen), describing it as ‘hard-going’ (Allie), ‘probably one of the worst days of my life’ (Malcolm) and as a ‘distressing nightmare’ (Christian). For many parents, the focus of these remarks was on the experience of giving oral evidence and being cross-examined.” (George and Gallwey 2016, p. 401)*

There was also evidence that in certain proceedings, users experienced the dismissal of emotions where court actors argued with mothers, framing their concerns as “*over-anxious*” (Dalgarno, Bramwell, et al. 2024, p. 352).

A study of users with multiple and complex needs variously reported users as feeling “*depersonalised*”, “*judged*”, “*voiceless*”, “*anxious*”, and “*afraid*” among other emotions (Hanrahan 2021). Lack of confidence and feelings of powerlessness were often highlighted, especially in relation to vulnerable individuals (Harrison et al. 2024). Yet different users experience these situations in varying ways; legal proceedings involving special guardianship saw users having a range of experiences: for some users, “*it [the process] was described as ‘fairly straightforward’ and ‘wasn’t too bad’, others described it as ‘stressful’, ‘difficult’, ‘really hard’ and ‘traumatic’*” (Harwin et al. 2019, p. 120). With regards to the Employment Tribunal, users expressed feelings of “*powerlessness*” and “*intimidation*” (Busby and McDermont 2012). Similarly, “*a lack of experience and knowledge of how to participate in negotiations and what to expect by way of outcome can leave unrepresented claimants feeling exposed and alone*” (Busby and McDermont 2020, p. 183), with users citing feelings of “*helplessness and frustration*” (Morgan 2024, p. 9).

Following family relocation proceedings, participants described themselves as being “*exhausted and saddened*” (George and Gallwey 2016, p. 411); a young person in the context of a SEND hearing described themselves as “*stressed to death about going to the Tribunal hearing*” (Cullen and Cullen 2021, p. 7). Emotions are also heightened as a result of what is seen to be ‘at stake’, with a reminder “*that LiP perceptions of significance frequently differ from legal perceptions of significance*” (Leader 2024, p. 104). In the context of the SEND Tribunal this was described as: “*their plans for adulthood were at stake, and they suffered as individuals and within their family and educational settings throughout the time taken to resolve the appeal*” (Cullen and Cullen 2021, p. 7). Contested applications in adoption were “*stressful*” and “*upsetting*” (Doughty et al. 2017, p. 12), with the children also dealing with the anxiety caused by the uncertainty of the appeal (Doughty et al. 2017, p. 14). A user of the Social Security Tribunal described the escalating emotional impact of attending the hearing:

*“When it gets to tribunal, the person is beside themselves by that time. Well, I know I was. And it was, it’s horrendous to go through. I mean, you shouldn’t be going, walking into a room like that. And you feel so anxious and full of anger.” (Participant in Eades 2024, p. 38)*

Research also showed the empathetic management of hearings and the presence of support and information can lessen the emotional intensity:

*“parents and wider family members are less likely to experience proceedings as hostile if they have received support for their needs, understand what is happening and why, have been treated with*

*empathy and respect, have had an opportunity to express their views, and feel that their voices have been listened to” (Family Rights Group 2018, p. 36)*

Representation can also help with the management of emotions, by offering a buffer:

*“This inability to stay ‘calm and collected’ and maintain ‘emotional objectivity’ is one of the reasons why legal representation is so important in the court room. It has been described as providing an ‘emotional buffer’ or ‘emotional distance’ which affords a ‘vital breathing space’ for the parties, thus encouraging compromise and settlement” (Barry 2017, p. 80).*

LiPs in civil and family matters *“underestimat[ed] how emotionally demanding self-representation would be” (Jones et al. 2023, p. 42)*. Receiving advice can sometimes help with these emotional aspects: *“[users] said they felt better equipped than before and the advice gave them more confidence. Some said they appreciated being taken seriously” (McKeever et al. 2018, p. 19)*. In case where courts were forced to make difficult decisions, such as withdrawing nutrition for those in a vegetative state the *“court was a ‘comfort’ and a ‘shield’ for relatives who felt burdened by the ‘momentous’ life-and-death decision concerning their relative” (Kitzinger and Kitzinger 2016, p. 2)*, though others believed *“the court is the wrong place for this sort of thing”*, and that it should have been a decision made by a clinician (Kitzinger and Kitzinger 2016, p. 5).

### **6.3.2 Scepticism and concerns of bias**

A number of studies highlighted users’ scepticism of the justice system and its ability to clearly and fairly address the dispute at hand. This scepticism often related to information asymmetries and to issues around power, which resulted in users feeling an *“absence of control over proceedings due to a lack of understanding about the rules of court” (Barry 2020)*. Many studies spoke of users feeling *“powerless” (Pytlowana and Kroese 2021, Hine et al. 2025, p. 13)*, and some felt they had no choice but to settle their claims prematurely (Busby and McDermont 2020). Similarly:

*“Many LiPs perceived themselves at a disadvantage, not only from not knowing how to operate in the system but also from a sense of being treated unfavourably as an unwelcome usurper. This was often perceived as a source of unfairness and was a potential threat to the perception that justice is served.” (McKeever et al. 2018, p. 18)*

Even when successful, this sense of powerlessness for some users remained:

*“Even when participants had successfully asserted rights, their narratives were not generally framed in terms of empowerment, instead reflecting that what they had experienced was an unnecessary ordeal” (Mulqueen and Wintersteiger 2025, p. 18).*

Especially in the Family Courts, studies highlighted that both the mothers and fathers believed in the presence of a gender bias against them from the court and other services (George and Gallwey 2016):

*“fathers reported how their experiences were shaped by a ‘power imbalance’ in favour of the mother, and that was fuelled and underpinned by negative stereotypes about men and fathers that devalued their role in their children’s lives” (Hine et al. 2025, p. 13).*

And:

*“the majority of female interviewees held the opposite view, that the father was in a privileged position and that instead of an absence of paternal rights, it was the rights of the father which held centre stage”* (George and Gallwey 2016, p. 404).

Claims of gender discrimination within the courts came from a number of studies, including *“negative stereotypes around survivors of domestic abuse and mothers who raise concerns about child contact arrangements”* (Birchall and Choudhry 2018, p. 5).

For LiPs *“perceptions appeared to be strongly shaped by earlier experiences of exclusion within the court process”* (Mant 2022, p. 137). Experiences also shaped the willingness to engage in future proceedings or to pay heed to the outcomes of proceedings:

*“Those who lack trust, or whose trust is undermined by bad experiences, are less likely to engage with services, less likely to voluntarily cooperate in legal or other procedures, and more likely to challenge or simply ignore outcomes that are not in their favour.”* (Creutzfeldt et al. 2023, p. 102)

The use of social media may also help users circulate these concerns:

*“Social media is also increasingly an avenue used to complain about public bodies, and this has implications for public body staff, as well as for the broader administrative justice redress process.”* (Nason et al. 2020, p. 11)

Alarming, some studies spoke of users' hostility and suspicion: *“The hostility and suspicion that a significant number of interviewees held towards members of the legal profession, judiciary and magistrates is a disconcerting finding of this study”* (Barry 2017). Another study identified a subset of users' beliefs in conspiracist thinking that was suggested stems from a *“loss of faith in the capacity of legal institutions and legal professionals to achieve justice”* (Leader 2024, p. 150).

## 6.4 State of the justice system

In almost all papers, there was some sort of reflection on the concerns about the state of the justice system, the long-term lack of resourcing, and the implications of this for the experiences of public users. Resource limitations were considered to disadvantage users and were regarded by some studies as the *“structural violence”* of the system (Alessi et al. 2025). Resource constraints in other areas also impacted on experience, such as in the case of care proceedings:

*“Resource constraints and delays in the pre-birth period meant that in many cases, it was only very close to, or following birth, that parents were informed of a first hearing [...] Social workers were clear that sharing a plan for care proceedings after a baby had been born was acutely distressing, departing sharply from transparent partnership working with parents.”* (Broadhurst et al. 2022, p. 14)

In 2018 an HMCTS-commissioned study indicated that:

*“Although being listened to was the most important element influencing overall ratings of experience, other elements were also influential in shaping perceptions of experience. These include having information that is good enough, elements related to being able to participate well, and staff. Understanding what is happening, the physical environment (e.g. court buildings and facilities), and*

*the time taken had much weaker influence on overall ratings of experience.”* (Kantar Public 2018, p. 14)

The following section relates to many of these concerns, including time and spaces. Participation will be covered separately in the next section.

#### **6.4.1 Delays, time, and waiting**

Delays were mentioned frequently across many court and tribunal types including Employment Tribunals (Busby and McDermont 2020, Blackham 2021), Social Security Benefit Appeals (Eades 2024), Family Court (Domestic Abuse Commissioner 2023), Court of Protection (Kitzinger and Kitzinger 2016), Immigration Tribunal (Gill *et al.* 2021) and applications for adoption that had been submitted to court (Doughty *et al.* 2017). The *“cumulative effect of these different sources of delay”* could be substantial (Kitzinger and Kitzinger 2016, p. 4).

Studies highlighted that cases involving LiPs took longer or were perceived to do so (Harding and Newnham 2015, McKeever *et al.* 2018). For some, this increased length of time was considered beneficial for the user. The time taken for proceedings to run their course was also considered a necessary feature of building trust and therefore engagement in the process in some jurisdictions. This was mentioned by authors in relation to private child law disputes:

*“Time taken in the courts process should not be viewed as unnecessary delay. Cases need time to build trust between the parties and reach a safe, workable child-centred conclusion.”* (Harding and Newnham 2015, p. 128)

In other cases, such as care proceedings, the *“overly rigid approach to applying the timescale”* resulted *“in final orders being made before there was enough evidence that this was the most appropriate order for the child and, in some cases, before care plans were finalised”* and a:

*“lack of time for potential family carers to be assessed, for parents to demonstrate their capacity to change, and for establishing whether return home or a placement within the extended for the child would be a sustainable arrangement”* (Family Rights Group 2018, p. 34).

The above study showed that this meant that *“potential carers for the children are faced with having to make life-changing decisions quickly, with little time to reflect, or seek advice if they wish to”* (Family Rights Group 2018, p. 35).

Users generally struggled with the uncertainty caused by waiting for case to be dealt with: *“The length of time a case takes can be a source of anxiety, particularly where users were unaware of progress made and there was a lack of visibility of the process at the outset”* (Kantar Public 2018, p. 20). This is echoed by further research from HMCTS where *“[s]ome users felt that their case took longer than expected and that there was a lack of information around timelines and the status of their case”* (HMCTS 2024). This was especially marked for LiPs, who struggled without guidance as to the progress of their appeal, even in the context of recent reforms, such as in the Immigration Tribunals:

*“A key frustration [...] was the inability to determine the progress of their appeal. Whilst some reported being able to track the status of their appeal online, others said it was unclear how long each stage would or should take. A lack of communication around this from legal officers, Home*

*Office staff and Courts and Tribunals Service Centre staff (who cannot give updates on appeal timings), compounded frustrations relating to delays. In some cases, this impacted Appellants in Person' trust in the process and heightened feelings of not being listened to.” (HMCTS 2025, p. 52)*

Users also experienced delays in receiving documents afterwards, such as visas that had been allowed following the outcome of the hearing, creating further confusion and frustration (HMCTS 2025). These extended periods of uncertainty and waiting for an outcome can have very negative effects for users, and even when progress followed the standard timings: *“many claimants experience the process as subject to long delays and defined by waiting, probably due to the high stakes and degree of personal investment in the outcome”* (Busby and McDermont 2020). In the context of Immigration Tribunals, these periods of waiting create *“disorientation”* for users, leaving their lives *“in limbo”* (Gill *et al.* 2021). Waiting on the day for the case to be heard is also difficult, with periods in waiting rooms described as stressful for users, due to being uncomfortable, public, and being exposed to the other party (Lee and Tkacukova 2017, Kantar Public 2018). In her auto-ethnographic study of her experiences of the Family Courts, Hussein describes time in this way:

*“The clock could not count the minutes sat in court, or how time felt when waiting to go in, the weeks and months between hearings stretching with tension as I could only see to the next one. Contractions in time, spent depending on the day and correspondence, I had received in relation to the court process.”* (Hussein 2023, p. 5)

Users also spend time in order to get to their in-person hearings. According to its estates strategy, HMCTS defines a *“reasonable journey”* to a tribunal hearing centre as two hours (HMCTS 2024, p. 10), and an analysis of data in the case of Immigration and Asylum Tribunals using google maps travel time data:

*“[S]howed that the average travel time by car was 24 minutes, with an estimated 99.3% of users able to reach a hearing centre within 2 hours. The average travel time by public transport was 58 minutes and approximately 87.7% of the population were able to reach a hearing centre within 2 hours.”* (HMCTS 2024, p. 10)

This, however, only considers the results of one tribunal jurisdiction, and no other studies looked directly at the impact of travel on users. The use of google maps travel time data also doesn't consider the impact of disruption, peak hour traffic, and missed connections. Regardless, journeys to and from courts and tribunals add to the time expended by users pursuing legal issues.

## **6.4.2 Costs**

The research highlights a range of cost considerations that affect users, including court application fees and the cost of representation, as well as time and other costs related to their experience with the justice system.

### **6.4.2.1 Court and tribunal fees**

With regards to court and tribunal fees, the research shows divergent impacts based on type of user and the type of case. Perhaps unsurprisingly, multiple studies indicated that people who had paid for legal representation were less aware and concerned with the specific costs of court fees, and saw them in the context of overall costs (Pereira *et al.* 2014, Jones *et al.* 2023). For LiPs, however, fees

were “typically the first and most significant financial consideration in decision-making, particularly in cases with financial motivations” (Jones et al. 2023, p. 48), and LiPs showed greater awareness of court fees “as these were generally the sole cost they paid in order to initiate court proceedings” (Pereira et al. 2014, pp. 2–3). In responses to a survey on factors affecting peoples’ decisions to bring family or civil cases, Family Court users “tended to report that they were less influenced by costs” and that an increase in fees was unlikely to dissuade them from going court, whereas in “civil cases, some participants reported that increased court fees would have caused them to reconsider whether it was worthwhile pursuing legal action” (Jones et al. 2023, pp. 53-54). In other studies, “court fees and the costs associated with providing the evidence needed to support a case, are also barriers to accessing justice” (Sigafos and Organ 2018, p. 20). For certain LiPs in the Family Court “the cost of attending a MIAM [Mediation Information and Assessment Meeting] can be prohibitive” (Barry 2017, p. 62). This is problematic as “given how important some family cases were (e.g., serious child safeguarding concerns) it was imperative that court fees did not act as a barrier” (Jones et al. 2023, p. 61). An HMCTS-commissioned study showed these divergent sentiments in the context of civil cases:

*“When a court fee had been paid, around half of all claimants said this was about the amount they had expected to pay. Where fees were not what they expected, the balance of opinion was that fees were higher than they had predicted.”* (Hamlyn et al. 2015, p. 49)

In the context of tribunals, research suggests that fees can be a deterrent, especially for those who have recently lost their jobs (Barnard and Ludlow 2016, Busby and McDermont 2020). Fees “influenced their decision-making during the course of their claim as the impact of paying the higher second-stage hearing fee became apparent” (Busby and McDermont 2020, p. 180). Similarly, those attending the SEND tribunal spoke of “financial obstacles” (Nason et al. 2020, p. 14). There are also indications that some users, such as those from the Immigration Tribunals, may have issues with the payment platform evidenced in an Access to Justice Report from HMCTS which indicated that “17% of those who attempted to pay a fee online experienced a technical error [...] in most cases users were able to pay their fee on a subsequent attempt.” (HMCTS 2024, p. 14)

For some users, the research showed that there were unexpected costs that arose in relation to the case, including the “high financial costs of expert instruction that mothers were expected to pay” (Grey 2023, p. 9) in the context of the Family Court. For others, these experts were out of reach “lead[ing] to courts making decisions with insufficient information” (Sigafos and Organ 2018, p. 20). In a range of specific case types, there was a lack of clarity and consistency about who should pay the court fee, such as for adoption orders which was sometimes paid by the Local Authority (Doughty et al. 2017, p. 15), but “where money was particularly tight, the expectation by the LA for them to pay for the court fees was a bone of contention and a source of considerable stress” (Doughty et al. 2017, p. 18). Similarly, there were disputes about who should fund the application for withdrawal of artificial nutrition and hydration in the Court of Protection (Kitzinger and Kitzinger 2016).

#### 6.4.2.2 Cost of representation

While addressed more fully in the section on representation, the cost of representation emerged frequently within the included studies. Users lacked clarity around specific costs:

*“In both civil and family court cases it was not always possible for participants to accurately calculate the costs they would incur when bringing a case to court. As such, it was often difficult for participants to analyse the financial risks”* (Jones et al. 2023, p. 27).

Furthermore, the *“affordability of legal help, both legal advice and legal representation, was a key issue [...] [and the] total cost of their case was far higher than anticipated”* (Jones et al. 2023, p. 57). Some litigants in person *“couldn’t afford a solicitor at any stage”*, and some started with representation, but later became an LiP due to costs (Barry 2017, p. 85), with others taking the option to ‘unbundle’ their services, such as engaging the services of a barrister directly, giving them a more cost-effective option (with significant downsides) (Barry 2020, p. 16). There are examples of participants indicating that they were put off by the costs incurred by others:

*“But a friend of mine, who works with me, is going through a similar process and he’s wasted a lot of money, so he advised me to not get a solicitor, ‘I’ll help you out,’ and he helped me out. So it was just a lot of help from a friend who guided me through the whole process, pretty much, as to how I should be going and doing this process. So I would say he’s saved me a couple of thousand pounds.”* (Participant from Lee and Tkacukova 2017, p. 8)

Very few studies directly addressed the specific costs to users but mainly reflected on the general financial impact of the proceedings in question. One exception to this looked at the specific cost figures of relocation disputes in the Family Court:

*“Leaving [...] extreme cases aside, the average cost of legal fees for applicants in this study was £34,000, and for respondents was £37,500. For many parents, this cost had left them, in Elliot’s words, ‘hugely in debt’; Ian and Phil had both re-mortgaged their houses to pay for their cases, while Emily [...] said of her case, ‘for my freedom, I am now bankrupt – I don’t own anything.’”* (George and Gallwey 2016, p. 400)

Concerning amounts of *“massive”* debt incurred by users also featured in other studies (Barry 2017, p. 85, Independent Domestic Abuse Services 2020, p. 18). For many, the debt *“did not deter them because their emotional motivations surpassed any financial barriers deterrent”* (Jones et al. 2023, p. 47). For some this led to significant ongoing consequences:

*“Women who were not eligible for legal aid accrued significant debt as a result of responding to child contact applications. This was debt that they knew would be a burden for years, constraining their opportunities for employment, holidays and where they could live, and limiting what it was possible to do with and for their children.”* (Coym et al. 2015, p. 12)

There were clear examples of how access to financial resources created an ‘inequality of arms’:

*“Many ex-partners had access to legal aid or family support, while fathers were often self-funding, which enabled their ex-partners to prolong the legal battle without facing the same financial strain.”* (Hine et al. 2025, p. 8)

### 6.4.2.3 Other ‘costs’

A range of studies highlighted additional costs to users, including emotional costs, health costs, and time costs: *“Mentally, it’s draining. Physically, it is also draining as well. Financially, it’s draining”* (Hine et al. 2025, p. 9). Pursuing a case *“extracts a heavy cost emotionally, physically and financially”*

(Hodge and Wolstenholme 2016, p. 1306), leading some scholars to speak of ‘well-being costs’ for users. Especially for LiPs “*the biggest cost incurred related to their time*” (Jones et al. 2023, p. 51), so it is important to recognise the disruption and other impacts:

*“The costs of undertaking an appeal are heavy, involving hours of preparation of the case and learning to negotiate the system; lost time from work; financial expense in hiring legal support and hearing within a relatively public setting your child described in unflattering and unmitigated terms.”* (Hodge and Wolstenholme 2016, p. 1307)

Other studies pointed to “*loss of income, jobs and relationships was a direct result of going to law*” (Leader 2024, p. 113), even the “*loss of faith in the capacity of legal institutions and legal professionals to achieve justice*” (Leader 2024, p. 142).

### 6.4.3 Spaces

The layout and nature of spaces had a strong impact on users. Users described the formality of these spaces as “*daunting*” (Jacobson et al. 2026, p. 16), “*intimidating*” (Hunter and Campbell 2026, p. 7), and “*excessively formal*” (Jacobson et al. 2026, p. 17). Their positions within these formal layouts affected users. The spaces in public law care proceedings:

*“highlighted parents’ marginal place in the proceedings. Parents described feeling like ‘an outsider’, ‘a bystander’ ‘in the background’. They sat at the back of the courtroom behind their legal representative and rarely had any opportunity to engage with the professionals ‘up-front.’”* (Hunter and Campbell 2026, p. 7)

For LiPs in semi-represented hearings, they stood where their lawyers would have been, which left them feeling exposed:

*“His barrister would sit at the front, and cos you’ve not got one, you stand next to him, and that – straight away, he’s got someone with experience in front of him like a shield, and you’re just up there at the front alone”* (Participant in Mant 2022, p. 73).

Similarly, the “*physical prioritisation of judges within these spaces conveyed a sense of separation between them and other court users which was daunting*” (Mant 2022, p. 74). Many preferred the smaller spaces such as the judge’s chambers, while others felt these were less appropriate given the seriousness of proceedings (Mant 2022). Waiting rooms were also mentioned as problematic:

*“Users did not expect to sit in a waiting room with lots of people, and especially not with the other party. Dissatisfaction with the waiting areas was in many cases related to situations where participants felt unsafe, uncomfortable, and public, particularly when sitting with the other side of the case, which could be disconcerting and intimidating.”* (Kantar Public 2018, p. 20)

Spaces were also difficult to navigate for users with disabilities:

*“Across all court types, entering court and passing security were negative experiences [...] those with learning disabilities often struggled to find their way around the court building due to unclear signage.”* (McLeod et al. 2010, p. 31)

#### 6.4.4 Digitalisation and remote hearings

There are a number of studies that focused on elements relating to technological advances in the justice system. Some highlighted positive aspects to the digitalisation of the justice process but there were also negative aspects, and so the overall impact of digitalisation on users is a nuanced one. Positive aspects included the hearing being more “efficient” and “comfortable” for the lay user, especially users with certain vulnerabilities:

*“Vulnerable people and/or those with a disability may find it easier to be in a familiar environment or a solicitor’s office where they can feel more comfortable. For face-to-face hearings the logistics of travelling to a court building, finding parking and attending a court can cause difficulties.”* (NISRA Hub Research Team 2022, p. 21)

Negative aspects related to the ability of the lay user to effectively participate in the process: *“a challenging online process that might be difficult to navigate, understand and feel heard”* (Creutzfeldt et al. 2023, p. 100). In a study of legal needs:

*“Most participants discussed limited digital skills and confidence, often related to disabilities and long-term health conditions. Few were completely without access, but most relied entirely on smartphones. Difficulties included typing, feeling like they weren’t able to do things quickly enough, composing documents, and uploading documents. Some felt ‘out of practice’ or simply unsure about using computers. Very few sought legal information online.”* (Mulqueen and Wintersteiger 2025, p. 8)

There were also material effects triggered by these issues:

*“Digital poverty and deficits in digital skills contributed to delays and mistakes in legal and administrative processes. Problems related to submitting evidence and managing online appointments triggered and escalated legal problems including benefit sanctions and child protection proceedings. Some participants pointed to the benefits of doing things online, but more complex processes created substantial barriers. Difficulties in speaking to someone to resolve issues caused additional stress and frustration.”* (Mulqueen and Wintersteiger 2025, p. 6)

A study of CLOCK Legal Companions, a type of McKenzie Friend, indicated that the type of support needed changed depending on the format of the hearing:

*“in offering in-person support, the Legal Companion role was ‘ninety-five per cent just moral support, and the other five per cent is the putting the papers together and helping people sort through things’. In the fully online environment that prevailed during the COVID-19 pandemic, this ratio of administrative-to-support work was reversed. During the lockdown period, the role shifted, such that the work mainly entailed (in the words of one of the Legal Companions) ‘putting bundles together for people and being able to take Word documents and emails and stick them into a PDF file and send[ing] it back to the litigant in person.’”* (Moore and Newbury 2024, p. 12)

With regards to the experience of digital reforms and the move to online hearings for people with vulnerabilities, the sentiments were very much mixed, based on the individual and their particular needs. The HMCTS Reform Evaluation vulnerability study indicated that:

*“Overall, however, participants were very positive towards the digitisation of HMCTS services, as long as options were available for participants who either may struggle to or who preferred not to*

*engage digitally. Where the service encountered was different to that expected (e.g., a face-to-face court case was moved online, or vice versa), this could exacerbate anxieties unless accompanied by clear communications about the change in advance.”* (Harrison et al. 2024, p. 5)

Hybrid hearings were named by a number of studies as problematic (Ryan et al. 2020, p. 16): *“some felt that the differences in mode led to a disconnected and disjointed experience”* (Harrison et al. 2024, p. 4). The need for support for vulnerable users was also highlighted:

*“In many cases reform measures are helping service users to feel more confident and comfortable in managing their legal issue, particularly for more straightforward cases where external sources of support are less critical. However, court reforms have the potential to exacerbate vulnerabilities where people’s expectations are not managed, and where their personal needs and preferences (notably for reassurance) are not accounted for.”* (Harrison et al. 2024, p. 55)

The nature and severity of the case was mentioned as a reason why online may be less appropriate for certain matters (Harrison et al. 2024, p. 4). For example:

*“family justice is not simply administrative adjudication but is dealing with personal and often painful matters, which require an empathetic and humane approach. Many respondents (both professionals and parents) expressed concern about the difficulty of creating an empathetic and supportive environment when hearings are held remotely”* (Ryan et al. 2020, p. 22).

It was also highlighted that the *“solemnity of court was at times lost”* (NISRA Hub Research Team 2022, p. 18), and that *“remote hearings have the potential to leave people feeling isolated”* (NISRA Hub Research Team 2022, p. 19). The online aspect can also cause limits to participation: *“background” status was replicated in virtual hearings, where parents were instructed to be ‘on mute ... unless you are getting spoken to’* (Hunter and Campbell 2026, p. 7). Furthermore, sometimes unreliable Wi-Fi connections created additional challenges: *“signals [were] dropping in and out, so you are not hearing fully what is going on”* (Hunter and Campbell 2026, p. 7). Some studies also raised the issue of personal spaces being used when accessing online hearings. For some, being in a familiar space was seen as advantageous – *“they provide an opportunity for parents to attend hearings in surroundings that are familiar to them”* – while others *“were anxious that factors such as noise, and home conditions may negatively affect the outcome of a case”* (Holt and Kelly 2024, p. 11). For others, the impact of accessing online hearings from homes, meant that that personal space had been shared with others, akin to a form of intrusion: *“my home is now shared on the Court platform with hostile professionals and him”* (Hussein 2023, p. 7).

There were other rather mundane and practical advantages to the use of the updated digital systems, as users of the reformed Immigration and Asylum Tribunals indicated:

*“They felt an online appeal would avoid them having to spend time posting documents. They also noted that it minimised the risk of the documents being delayed by postal strikes and the potential loss of documents in the post. Appellants in Person also felt that the online system would enable them to have easy access to all of the documents submitted as part of their appeal. They felt that having a record of the appeal process in one place was valuable because they could refer back to it when needed.”* (HMCTS 2025, p. 20)

The same report also indicated technological barriers for certain users:

*“Judges noted that appellants did not always have access to a secure internet connection, a suitable device or an appropriate location to attend an online hearing. Poor internet connection was also described as disrupting the flow of hearings and sometimes resulted in adjournments”* (HMCTS 2025, p. 36).

## 6.4.5 Mediation

Mediation was only considered in this review where it was part of a journey to court proceedings, but considerations were still covered by a range of studies. A review of the mediation process offered as part of civil money claims indicated that motivations for mediation included the belief that judges would look negatively on their case if users didn't engage with mediation, with *“both claimants and defendants believing that mediation would offer them the chance to put their side across and to be heard within the court process”* (HMCTS 2023, p. 27). Furthermore, *“users believed that a hearing would be a longer process to resolution, a more stressful route and most likely a more expensive route”*, which is why some favoured mediation (HMCTS 2023, p. 27). The experience and skill of the mediator leading the mediation meeting was also considered a factor in users' experience: *“the individual mediator and their approach plays a significant role in users' experiences and satisfaction with mediation”* (HMCTS 2023, p. 32).

For LiPs in the Family Court, there was some discussion of the Mediation Information and Assessment Meeting (MIAM). The *“MIAM was regarded as a ‘hurdle’ to overcome before proceeding to the main objective of court proceedings”* (Barry 2017, p. 62). Negative experiences of mediation left some LiPs unwilling to engage further. Other Family Court-focused studies highlighted:

*“a general misunderstanding or lack of awareness about the purpose and role of mediation among participants. Participants suggested that they/the other party may have benefited from more comprehensive guidance about the purpose of mediation and more information about how it can be beneficial for both parties.”* (Jones *et al.* 2023, p. 34)

Other studies also highlighted that parents often didn't follow the rules of mediation and that this may be because of their lack of experience with mediation or simply the emotional intensity of the encounter (Jenks *et al.* 2012).

In the employment context, some parties felt *“empowered”* by the mediation process (Boon *et al.* 2011). Experiences of the Advisory, Conciliation and Arbitration Service (ACAS) conciliation suggested that the experiences of the *“pragmatic rationalities of managerialism”* were evident:

*“The priority of ACAS conciliators to achieve a settlement and thus minimise the number of cases reaching Tribunal can be felt by claimants as a pressure to settle at all costs and a lack of interest in the positive aspects of their case”* (Busby and McDermont 2012, p. 182).

The experiences of users in mediation before the step of appealing to the SEND Tribunal were also explored, highlighting cases when the local authority didn't attend the mediation meeting, and that in most of the cases they considered, the young people involved didn't take part. When young people did participate, *“there were more examples of negative experiences than positive experiences”* including feeling patronised and not being involved in the discussion (Cullen and Cullen 2021, p. 68).

## 6.5 Participation

Participation is a key aspect of access to justice, but the specific role and the opportunities to participate differ greatly between users, as Jacobson explains:

*“The role of the lay court user in judicial proceedings varies greatly according to the jurisdiction to which the case belongs, the type of hearing within that jurisdiction and the court user’s role or legal status. These intersect with a number of other factors setting the parameters of court users’ participation, including:*

- *the kinds of parties (for example, individuals, corporate entities, the state) involved;*
- *the extent to which court users have elected to take part (such as ET [Employment Tribunal] claimants) or have no choice (as with defendants in criminal proceedings);*
- *the stake court users have in the outcome (which could be as significant as their liberty, access to their children or right to stay in the country; or could be minimal, as for witnesses with no sense of personal involvement in the case);*
- *whether parties are legally represented;*
- *rules of evidence;*
- *the degree of adversarialism of the process;*
- *size, elaborateness and physical layout of venue in which the hearing is held.”* (Jacobson 2020, p. 107)

As one would expect, a significant volume of the research on participation considered the participation of LiPs, though as addressed earlier in this study (see page 30), this group and their needs are considerably diverse. Regardless, key barriers to participation were identified:

- a) *“the expectation that LiPs are lawyer-like and will fit into the system;*
- b) *difficulty in obtaining information, advice and resources;*
- c) *the limits to their knowledge and understanding of legal issues, regardless of their efforts to prepare; and*
- d) *negative or debilitating emotions and high levels of anxiety.”* (McKeever et al. 2018, p. 15)

While aspects (b) and (d) have been addressed in earlier sections of this review, the following section considers elements related to aspects (a) and (c), namely users’ understanding of the process, issues with communication around the hearings, the complexity of legal language, the adversarial nature of the courts, and user voice.

### 6.5.1 Understanding

A concerning aspect of many of the included studies was the frequency with which most studies highlighted public users’ lack of understanding. There were examples of this across all aspects of

user engagement – from the understanding of their rights / the law (Nason *et al.* 2020), the process (Broadhurst *et al.* 2017), what is happening in the hearing including what is required of them (Busby and McDermont 2020), the time frame and complexity (Jones *et al.* 2023), and for some even the “*logic and reasoning behind the decision-making processes*” (Mant 2022, p. 144). Due to this lack of understanding, when things go wrong for a LiP (such as in the case of an administrative error), “*it would be exceedingly difficult to, first, be able to identify what had gone wrong and, second, be able to rectify the situation*” (Leader 2024, p. 99). As an LiP explained: “*I don’t understand all of this you know. Every time I have been to court, I just don’t understand what is happening*” (Participant in Barry 2020, p. 20). They also may not be aware of their gaps in understanding:

*“LiPs were often unclear about the law or procedure in their cases and some were even unaware of their lack of knowledge. They often reached the limits of knowledge only to find a new gap had emerged.”* (McKeever *et al.* 2018, p. 17)

As Leader (2024, p. 95 emphasis original) expressed in her study of LiPs: “**Some** LPs are involved in multiple proceedings, **some** do suffer from mental-health problems, **all** are confused and unsure of legal proceedings”. This lack of understanding may also not be evident to those outwardly observing, “*LiPs may appear to cope in court but were not always able to follow proceedings*” (McKeever *et al.* 2018, p. 18).

This was particularly marked for those with vulnerabilities; a study of court users with multiple complex needs highlighted that they failed to understand a range of aspects of the process including “*why they were going to court and/or a tribunal, what they should do to prepare for their case/tribunal, [and] what was happening during their case/tribunal*” (Hanrahan 2021, p. 11). Echoing the participant above, a parent in an urgent care hearing explained: “*I just didn’t understand a word of it. Just didn’t understand.*” (Broadhurst *et al.* 2017, p. 70). More broadly:

*“Participants across jurisdictions and with different vulnerabilities reported a lack of knowledge and understanding from the first step, with many not knowing if the issue they were experiencing translated into a legal issue, and therefore how to go about resolving it. Participants consistently reported little understanding of legal processes, possible outcomes, or timeline to resolution. This contributed to an ongoing sense of anxiety, inducing stress, and leaving people feeling overwhelmed at almost all stages of the process. The stress of trying to operate in an unfamiliar legal system was compounded by other factors such as emotional and/or psychological vulnerability, physical health challenges and difficult financial circumstances”* (Harrison *et al.* 2024, p. 2).

## 6.5.2 Communication around the hearing

A common area of concern was courts’ and tribunals’ communication with users regarding what to expect from the process and when, as well as what will happen, and is happening, in the hearing itself:

*“It was not, however, encounters with the judiciary that most often proved to be a difficult experience for families, but the poor (and sometimes conflicting) information shared, or not shared, during proceedings. [...] Parents described a variety of problems they had encountered as a direct result of poor communication at different stages of the court process, which were a source of stress and frustration.”* (Doughty *et al.* 2017, p. 15)

It was very clear that there was *“not enough information providing a realistic insight into what they should expect to happen during the hearing”* (Jones et al. 2023, p. 59). This was also outlined in other research conducted by the court service:

*“the main user need across the whole journey was increasing visibility of the process, which can be achieved through high quality, targeted and timely information provision. Having sight of the whole journey and having information on progress and what to expect was an important factor in perceptions of experience across all jurisdictions and at all stages of the user journey.”* (Kantar Public 2018, p. 16)

The research reveals that there are relatively frequent accounts of users that *“simply never received crucial court documents in advance”* (Mant 2022, p. 131), creating additional anxiety and confusion; this included *“not receiving materials from the courts, the courts’ failure to send them judgments, missing or incomplete case files and other errors that posed serious problems for them, resulting in delays and additional time and anxiety”* (Leader 2024, p. 98). Another study that evaluated adoption processes highlighted that:

*“the rate of avoidable errors, delays, misunderstandings and poor communication is troubling. This contributed to adopters’ sense of needing to be better informed, in a timely manner, about what to expect when going to court, when, and from whom.”* (Doughty et al. 2017, p. 29)

When documents were received these often weren’t accessible: *“[The letters are] almost foreign languages. Too authoritarian, too distanced and cold. Why call someone an RMO10 when you can say “your doctor” or an MHO11 a social worker”* (Macgregor 2022, p. 4). Studies engaging with children highlighted their wishes for improved and more comprehensive information (Emerson et al. 2015, p. 8): *“Children were clear that they wanted to be informed about what was going on during proceedings and about the court’s final decision”* (Jones 2023, p. 30).

### **6.5.3 Complexity of legal language**

A very large number of studies highlighted how much public users struggled with the technical and specialist language used by courts and tribunals (Barry 2017, Broadhurst et al. 2017, Kantar Public 2018, Sigafoos and Organ 2018, Busby and McDermont 2020, Jacobson 2020, Mant 2022, Hunter et al. 2024, Leader 2024). This created a barrier to understanding, as well as the sense of exclusion:

*“Court language, concepts and structures had the combined effect of silencing court users, underlining the disparities between their social worlds and the social world of the courtroom, and ultimately disconnecting them from their own proceedings.”* (Jacobson 2020, p. 127)

There is evidence of thoughtful judges, advice services, and representatives attempting to explain this terminology (see page 60 for examples of this), yet regardless *“there was a notable tendency among many practitioners to default to jargon and complex language”* (Jacobson 2020, p. 127):

*“They would talk among themselves in legal-type language, and I was just sat there waiting for it to be translated, but you don’t know what they said at first, or if they’re saying all of it to you.”* (Participant in Mant 2022, p. 69)

The complexity and formality of the language may also be an issue:

*“they are also potentially excluded from fully comprehending proceedings by the use of unusual, formal or complex language that goes unexplained to them because it is not recognised to be legal language”* (Leader 2024, p. 119 emphasis original).

These various aspects resulted in the exclusion of users from legal conversations which:

*“facilitated a sense of disadvantage among LIPs because it prevents them from contributing their perspectives and experiences to negotiations about how the law should apply to their circumstances, which in turn can lead to mistrust of the legal system and those working within it”* (Mant 2022, p. 70, see also Leader 2024, p. 116).

Difficulties in the language around correspondence and materials coming from the court service is also evident:

*“HMCTS correspondence and materials used legal jargon which can be difficult for users to understand, particularly for those with disabilities, so there was a reliance on liaison groups and solicitors to explain and provide information.”* (Kantar Public 2018, p. 18)

### 6.5.3.1 Preparation of documents including forms and the bundle

Users indicated that filling in documents and preparing the bundle (a physical/electronic collection of all the documents relevant to the court case) were particularly difficult activities for them (Barry 2017): *“[w]hile some procedures were straight-forward for some LIPs, many faced procedural barriers with completing and submitting the appropriate paperwork”* (McKeever et al. 2018, p. 17). Forms were mentioned on a number of occasions as due to the *“discursively complex court forms they are required to complete, often without clear instructions or explanations of relevant concepts”* (Grieshofer 2024, p. 64). In research conducted by Law for Life, forms were highlighted as a priority area for amendment, including with the addition of proper instructions: *“[w]hen forms, and information to explain them, are presented in an understandable format, both court users and court staff experience less frustration and delay”* (Law for Life 2014, p. 4). There was evidence that even *“simple administrative errors can potentially lead to a LiP’s losing a case”* (Leader 2024, p. 98).

Users identified bundles as very important to their case *“due to the ways in which they enabled communication with judges outside of the hearing”* especially to make a good impression (Mant 2022, p. 89). This led a number of LiPs to over-prepare their bundles having *“included far more than sufficient examples of information requested by the court”* (Mant 2022, p. 90). The preparation of a bundle is a *“specialist activity”* and *“a lack of understanding about the significance and role of the court bundle can mean that LIPs struggle to understand why their efforts are ineffective”* (Mant 2022, p. 91).

### 6.5.4 Adversarial nature of the courts

A handful of studies highlighted the frequent ways in which court and tribunal hearings are framed in terms of conflict, speaking of *“legal battles”* and *“winning cases”*. *“LIPs frequently interpreted the requirement to give formal submissions in court as a combative activity”* (Mant 2022, p. 86) as one Family Court user indicated:

*“If you do good in your speech, you win. Simple. So I did, I kept fighting, because I haven’t got any other options. I had to fight, because I had no one to fight for me like [ex] did, and that’s my child, I had to fight for her.”* (Mant 2022, p. 86)

One study noted this use tended to be gendered, with male interviewees’ using *“this language to describe their experiences, much more so than the female interviewees”* (George and Gallwey 2016, p. 404). There were concerns that:

*“many LiPs may increasingly draw upon alternative sources of help which perpetuate adversarial attitudes [...] The potential consequences of this for LiPs is that they will be further excluded from the capitals and attitudes which are valued within the court process – openness to settlement, compromise, and negotiation. Instead of taking these approaches, these LiPs interpreted advocacy as an adversarial process, and experienced further disadvantage as a result of their being less willing to attempt to reach agreements or compromises during proceedings”* (Mant 2022, p. 88).

In certain contexts – in this case the removal of nutrition and hydration from patients in a vegetative state – *“[s]ome expressed concerns about what they experienced as the ‘adversarial’ nature of the process”* (Kitzinger and Kitzinger 2016, p. 4). Others expressed concern about the role the adversarial nature of the Family Courts played (Domestic Abuse Commissioner 2023, p. 20).

### 6.5.5 Voice

The importance to lay users of being heard in the court process was highlighted in a number of studies, where *“voicing their experiences and concerns was central to their sense of justice being done”* (Hester et al. 2025, p. 10), with the essence of users participation in their own understanding being *“the telling of their story – whether directly or through a representative – and the challenging of the other party’s version of the story”* (Jacobson 2020, p. 131). LiPs emphasised that *“the most important aspects of a case is telling your story in your own words in a truthful manner to gain the judge’s respect”* (Barry 2017, p. 94). Being listened to is also a crucial factor in how users experience proceedings, as evidenced by some of the HMCTS-commissioned research:

*“The most important factor was being listened to, which was found to be more than twice as influential on overall rating of experience than the other factors. There was some variation between jurisdictions, but being listened to was the most influential driver throughout.”* (Kantar Public 2018, p. 7)

Similarly, an example from the Immigration Tribunals shows that when they didn’t have:

*“sufficient opportunity to tell their story [...] Appellants in Person described feeling that the appeal process was a tick-box exercise that did not fully allow them to express themselves or communicate the potential complexities of their situations”* (HMCTS 2025, p. 53).

Despite the importance of telling their stories, there was evidence that suggested that LiPs often struggled to do so. They may be:

*“unable to separate out incidents, nor be able to stick only to the relevant matter of a hearing, because the complex nature of their claims means that it is not necessarily clear to them how they can be separable in the first place”* (Leader 2024, p. 108).

### 6.5.5.1 Procedural barriers to voice

The reality is, however, that depending on a range of factors, there may be very few opportunities to 'tell their story' to the court or tribunal:

*"Most of the talking in the observed court hearings was done by the professionals in the room. Whether and to what extent lay court users communicated directly with the court or tribunal depended on a range of factors, including their role in proceedings, the type of hearing and case, and whether or not they were represented."* (Jacobson 2020, pp. 129–130)

The 'translation' of users' stories into legal questions *"was also a process which marginalised the individuals"* (Jacobson 2020, p. 127). When they did get an opportunity to express themselves, this was often heavily constrained, and this led to significant dissatisfaction:

*"because the focus of the time in court was spent being asked difficult questions by the other parent's lawyer in cross-examination, parents often felt that they never had chance to tell their story in the way that they wanted. Parents in our study struggled to understand the court process, whereby the statement that they had written in advance of the hearing was used as their primary evidence, and felt disempowered by this process"* (George and Gallwey 2016, p. 401).

The constraints of this framing often meant that stories were told in a way that users didn't agree with:

*"The delay in eliciting the narratives in court settings, compounded by the overall lack of opportunities for narratives to be elicited in the supportive and well-structured interactive format, means that parties find themselves in the position when they can only observe what happens to their original (often restricted) stories as they take shape through expert-led and expert-framed genres and move away from the original meaning"* (Grieshofer 2024, p. 63).

Users *"felt pressured because their time to speak was restricted to just one or two opportunities during hearings [...] [highlighting that this] aspect of the court process, therefore, is particularly unsuitable for those who already struggle with verbal forms of communication"* (Mant 2022, p. 85).

This desire to be heard made users make changes to their approach:

*"LIPs may consciously adapt their approach in order to be heard within the court process [...] [f]or instance, those who anticipated difficulties communicating via verbal procedures like advocacy and cross-examination frequently responded by channelling their efforts into communicating via their written paperwork."* (Mant 2022, p. 97)

As highlighted previously, these procedural barriers to voice can be made worse by the lack of information, as was the case in the Coroners' Courts:

*"many of the bereaved respondents felt uninformed about the coronial process posed a significant barrier to participation. Respondents vividly described the experience being plunged into an alien legal process, about which they were offered limited or no explanation, at a time when they were least able to cope with absorbing new information"* (Jacobson et al. 2026, p. 15).

Where one party feels that the other party had more opportunities to tell their story, this can result in those users feeling that they are at a disadvantage:

*“I have not been heard. My statement wasn’t read and the court hasn’t heard me. They’ve only heard her. So, in a court of law, would someone go to jail on the prosecutor’s evidence and no defence?”* (Hine et al. 2025, p. 13)

In the context of care proceedings, some users saw their presence in court as “*tokenistic*”, as “*an aberration or irritant in the context of due legal process*”, where “[p]arents also described being talked about rather than spoken to” (Hunter and Campbell 2026, p. 8). The same study highlighted the common desire from users to tell their stories and be heard:

*“What parents often wanted from the process was to have their stories heard by the judge. There were significant issues that they wanted the court to be aware of and that they considered to be crucial context to the situation they found themselves in. However, there were limited opportunities in proceedings to do this.”* (Hunter and Campbell 2026, p. 16)

This has led to the recommendation by scholars that users need more opportunities to do so:

*“Creating opportunities within court proceedings to hear some of the ‘human context’ of legal matters can help to counteract some of the formality and hierarchy of legal procedures [...] it also conveys respect for parent voice and permits their more active participation in the proceedings.”* (Hunter and Campbell 2026)

#### 6.5.5.2 Representation as a barrier to voice

The research also suggested that there was a different conception of ‘voice’ and being heard between professionals and lay users. For professionals “*‘voice’ can be equated with being legally represented [...] includ[ing] having the opportunity to submit evidence to the hearing via a written statement and verbally through their legal representative who will filter what is legally relevant to the proceedings*” (Hunter and Campbell 2026, p. 16). However, for parents this “*neglects the more emotional and relational dimensions of voice*” (Hunter and Campbell 2026, p. 16). This means that “*legal representation could also have the effect of undermining or even silencing the lay party’s voice*” (Jacobson 2020, p. 130). In care proceedings:

*“It was uncommon for parents to give formal evidence in court as this is largely covered in pre-hearing written statements. ‘Parent voice’ then is conveyed indirectly through their lawyer, and they are largely dependent on their legal representative to navigate and translate the legal complexities of judicial proceedings and to help rebalance disparities of power and legal knowledge between parents and state actors such as social workers and lawyers representing the local authority”* (Hunter and Campbell 2026, p. 9).

This is made even more problematic as parents “*commonly reported having very limited time for discussion with their lawyer before proceedings moved to court*” and “*often felt that their concerns and feelings were ignored by their lawyer*” (Hunter and Campbell 2026, p. 10).

Care proceedings was an area where multiple studies highlighted enormous concerns around participation, especially of parents, but also of other lay users such special guardians or adoptive parents. Some of these issues have been mentioned above in relation to representation, which emerged predominantly from Hunter and Campbell’s study (2026) (see page 37 for further details). Urgent care proceedings particularly highlighted this as very problematic:

*“Court proceedings so close to birth, were seen to place women in an impossible situation of having to attend court, whilst at the same time, not knowing whether their baby would be removed from the maternity ward in their absence [...] it is simply not possible to expect women to ‘be their best selves’ in these circumstances. Mothers were very clear that they were unable to instruct a solicitor in the immediate aftermath of birth – they were mentally and emotionally unfit for court, because they were recovering from the birth and their minds were focused on their new babies. Having very little notice of a court hearing simply compounded their vulnerability.”* (Broadhurst et al. 2022, p. 20)

### 6.5.6 Children’s voice and participation

Several studies highlighted the need to enhance the voice of children in Family Courts (Domestic Abuse Commissioner 2023, Hunter and Burton 2025), with some parents upset that their children had been *“completely sidelined”* (George and Gallwey 2016, p. 408). Research also indicated children’s desires to *“have a say”* as well as *“have an influence on the outcome”* (Bailey et al. 2011, Emerson et al. 2015):

*“The young people expressed dissatisfaction about not being listened to, not having their wishes acted upon, being patronised, a lack of confidentiality and being put under pressure to maintain contact with someone they did not wish to see.”* (Bailey et al. 2011, p. 131)

Attempts have been made to rectify this, including through ‘Pathfinder,’ an intervention that has Cafcass staff engage with children early to bring the voice of a child into family private law proceedings in proceedings (Jones 2023). Similarly, a study of children’s legal needs in Northern Ireland showed children’s emphasis on the *“need to be treated with respect and to have their views sought, listened to and acted upon in matters relating to the legal issues they may have”* and to have lawyers and legal advisors who knew effectively how to communicate with children (Emerson et al. 2015, p. 8). The ongoing consequences of the lack of children’s voices in family proceedings means that *“[c]hildren can be left feeling let down or suspicious of authorities, and trust in the court system can be eroded due to a child’s negative experiences.”* (Hunter et al. 2020, p. 6)

## 6.6 Impact of court and tribunal staff

Interactions with a range of professional staff – especially public users’ experience with judges – had a significant impact on how they experienced hearings. This section will consider judges, court staff, and interpreters.

### 6.6.1 Judges

Judges were central in users’ experiences of courts and tribunals, to both positive and negative ends: *“Parents recounted both judicial courtesies and slights and these were important in their reflections about their overall treatment in the family court”* (Hunter and Campbell 2026, p. 12). Across many jurisdictions, the research suggests the clear impact that the comportment of the judge can have in the proceedings, and it was evident that some judges were working very hard to manage the hearing and to especially minimise the disadvantages that LiPs faced. Judges can be seen to perform a *“levelling function”* (Busby and McDermond 2020, p. 190) ensuring an *“equality of arms”* (McKeever et al. 2018, p. 19, Jacobson 2020, p. 124) in semi-represented hearings:

*“In these semi-represented hearings, judges play a particularly important role in not only substantively addressing these disparities by making accommodations or adjustments to ensure*

*LIPs are able to play a meaningful role, but also in being seen to address these disparities, so as to go some way towards allaying perceptions of unfairness, which can further alienate LIPs within the process.” (Mant 2022, p. 112)*

In Employment Tribunals there was *“good evidence to show that ETs took considerable care to do all they could to assist migrants who had not been able to help themselves, in the face of claims that were frequently chaotically presented, and claimants who could speak little English” (Barnard and Ludlow 2016, p. 20).* Similarly:

*“judges often go to significant lengths to try and ensure that unrepresented claimants do have their say although this does not always enable them to do so due to a lack of confidence in what is often a new and alien environment and feelings of intimidation due to the formality of the hearing. However, judges’ actions can have a positive effect on perceptions of the process and acceptance of the outcome regardless of whether judgment is given in the claimant’s favour.” (Busby and McDermont 2020, p. 189)*

For those with mental health conditions, learning difficulties or limited mental capacity, judges adapting their approach to facilitate understanding improved their experiences:

*“When judges and magistrates made a point of addressing the court user directly and took care to tailor their communication style appropriately (in particular, avoiding jargon and taking the time to check the court user had understood proceedings), this substantially improved court users’ satisfaction with the experience. Court users reported that it made them feel respected. In particular, it increased their ability to accept the case outcome and made them feel respected and involved in the court process.” (McLeod et al. 2010, p. 35)*

Similarly in the SEND Tribunal: *“Two young people in our sample had very positive experiences of their hearing, with the judge and panel members going out of their way to make them feel comfortable and heard” (Cullen and Cullen 2021, p. 7).*

Judges *“stepped outside of the adversarial approach” (Grieshofer 2024, p. 64), “helped to counteract some of the formality in court hearings included more personal remarks and humour” (Hunter and Campbell 2026, p. 13), and took “a more active role in proceedings, which frequently involved providing clear guidance, asking questions, and directly engaging with LIPs throughout the hearing” (Mant 2022, p. 123).* Similarly:

*“[m]any judges took considerable care to explain procedures to LIPs. Some offered encouragement [...] They also offered reassurance [...] and practical guidance [...] Some judges, in an apparent effort to ensure equality of arms between represented and unrepresented parties, provided assistance that arguably amounted to a departure from the traditional judicial role of a neutral arbiter” (Jacobson 2020, pp. 123–124).*

These accommodations:

*“displayed awareness of court users’ needs, a willingness to make ad hoc accommodations and a general sensitivity to what are referred to earlier as ‘vulnerable moments’, when court users displayed heightened distress, anxiety or anger.” (Jacobson 2020, p. 122)*

Users also praised the sensitivity of judges (Kitzinger and Kitzinger 2016) and placed a high value on a judge's knowledge of the case information (George and Gallwey 2016, Mant 2022).

Not all experiences with judges were positive and some users expressed dissatisfaction (Mant 2022). Some of the attempts described above, to facilitate user participation, are up to the discretion of the particular judge:

*“Judicial practice to accommodate the needs of LIPs is already in place in some courts but it is variable, depending on individual discretion to assist LIPs or adopt inquisitorial approaches. Some court actors feared that judicial assistance of LIPs may be unfair to represented parties.”* (McKeever et al. 2018, p. 18)

The diversity of approaches and accommodations was highlighted within studies as *“some judges went further than others in trying to reach this balance”* (McKeever et al. 2018, p. 19).

## 6.6.2 Court staff

Just like judges, court staff can have a significant impact on user experience. Positive experiences with court and tribunal staff increased trust in the court service (Kantar Public 2018). The same study indicated that *“some users felt court staff could be doing more to put people at ease, to provide reassurance and manage expectations about timings”* (Kantar Public 2018, p. 19). Users generally wanted more help than was being offered or was available:

*“the vast majority of interviewees complained about the lack of assistance received from court office staff when commencing child arrangements applications. The main source of help was provision of a court pack containing family law forms, but a refusal to assist any further. These court packs are very confusing, containing an array of forms and leaflets covering different aspects of child arrangements proceedings.”* (Barry 2020, p. 21)

Research has shown that *“LIPs held misconceptions about their [court staff's] role, which was sometimes challenging to deal with”* (McKeever et al. 2018, p. 18), though it was argued that this was due to a lack of accommodations in the system:

*“The presence of LIPs was a source of irritation or frustration for some court actors (mainly, legal representatives on the opposing side, but also some court staff and judges). The irritation arose both as a result of insufficient accommodation of their needs in the system and in response to a few difficult LIPs who presented particular behavioural and procedural challenges”* (McKeever et al. 2018, p. 16).

When read in parallel with the earlier findings around the lack of information and information barriers, and the importance of this information given the lack of accommodation of their needs, it is not surprising that users were forced to seek information from court staff, and were frustrated when they didn't get the help they wanted given the issues around resourcing. A study of the legal needs of children in Northern Ireland, highlighted that the *“[y]oung people surveyed suggested that the ‘ideal adult’ in the legal system should be professionally capable, have a caring personality, have experience with young people, and recognise young people as rights holders (i.e. seek, listen to and act on their views)”* (Emerson et al. 2015, p. 10).

### 6.6.3 Interpreters

For those where English is not their first language, the use of good quality interpretation services is often a critical ingredient to effective participation. A lack of suitable or adequate interpreters has been mentioned by a number of studies including in Social Security Tribunals (Barnard and Ludlow 2022) as well as in the Family Court (Domestic Abuse Commissioner 2023) among others, resulting in poor quality interpretation: *“Victims and survivors we spoke with, who did not have English as their first language, mentioned issues with interpreters being inexperienced, untrained and who miscommunicated domestic abuse experiences”* (Domestic Abuse Commissioner 2023, p. 24). In a very recent reform evaluation of the Immigration Tribunals, *“judges and legal officers raised some concerns about the lack of processes for quality assuring interpretation”* including a lack of systems to *“check the proficiency of interpreters”* and that they speak *“the dialects of the regions that appellants are from (and not just the same language) as this would help to ensure the nuances of discussion are not lost”* (HMCTS 2025, p. 35). One study highlighted users’ concern over the perceived negative perception associated with the use of interpreters leading to a *“disinclination to use [interpreters] among some migrant participants because of the perception that this would weaken their case in the eyes of the judge.”* (Busby and McDermont 2020, p. 190)

## 6.7 Users with special and additional needs

The research indicated that for a whole range of reasons, users with special and additional needs may struggle in the court and tribunal context. Some users may struggle with the type of communication required in legal settings (Mant 2022). Others may lack the range of skills required for participation:

*“Many participants struggled with the skills needed to plan, organise and keep track of events, often due to disabilities and long-term health conditions. Common problems were associated with obtaining and submitting evidence, finding and completing forms and the administration of their benefits and finances.”* (Mulqueen and Wintersteiger 2025, p. 8)

Users with different conditions had different concerns relating to the court process:

*“Those with learning disabilities found the unfamiliar situations hard to understand and those with mental health conditions were concerned that a trial would have a negative impact on their mental health.”* (McLeod et al. 2010, p. 31)

The evidence suggests that four key aspects have a significant impact on court experience: *“early identification of conditions requiring support; opportunities for disclosing vulnerabilities; access to personal support; and access to legal advice and representation.”* (McLeod et al. 2010, p. 25)

It should be noted that while this synthesis focuses on civil, family, and administrative justice cases, some studies such as McLeod et al. (2010) included jurisdictions from beyond these which may have better established provisions for users with vulnerabilities:

*“The opportunities for identification and subsequent support vary across the courts. Generally, the level of support is highest in criminal courts and public family law.”* (McLeod et al. 2010, p. 20)

Professional users often didn't have the time to identify users' needs or were focused largely on the legal issues (McLeod et al. 2010, p. 26). They also had differing views with lay users around where adjustments were needed:

*“Although it is possible to apply for special requirements in civil and family courts, this appears to happen very rarely, and few legal practitioners were aware of the possibility. Solicitors and magistrates tended to perceive civil and family courts as less intimidating than criminal courts and therefore tended not to believe special requirements would be necessary. However, court users did not support this view. The small number of court users who had experience of both civil and criminal courts explained that they found them equally stressful, while court users involved in family cases felt they could have benefited from measures such as the use of screens to avoid confrontation with other parties.”* (McLeod et al. 2010, p. 37)

Users did not know if they needed to disclose relevant conditions, and would be more willing to disclose a condition if they felt it would result in assistance, and not harm their case (especially in private family law):

*“Court users were more inclined to disclose a condition if they expected that doing so would trigger support provision, or if a familiar person whom they trusted was present. Where court users were not assured their condition would be treated sympathetically, were unsure of its relevance to the situation or were concerned this information would discredit their evidence, they were less likely to disclose, sometimes because they had been advised against doing so by a lawyer or another professional. Increased opportunities for disclosure would be created through practitioners' use of a checklist and guidelines around disclosure.”* (McLeod et al. 2010, p. 11)

This was very much assisted by early identification:

*“Early identification of a court user's mental health condition, learning disability or limited mental capacity increased the likelihood of satisfaction with their court experience, as it became a catalyst for the subsequent provision of support throughout their court case. This support included referrals to support organisations, the provision of special measures or requirements, and awareness on the part of the judiciary and legal representatives of the need to tailor communication.”* (McLeod et al. 2010, p. 25)

## **6.7.1 Those on community treatment orders**

Two studies highlighted participation in community treatment orders (Jobling 2019, Macgregor 2022). Users with community treatment orders indicated that mental distress, medication, and inaccessible information were barriers to their engagement with tribunals (Macgregor 2022, p. 4). Like many others, users struggled with *“inaccessible methods of communication that were dominated by legalistic and clinical language”* (Macgregor 2022, p. 4). These *“tribunals were heavily inclined towards professional (and particularly responsible clinician) accounts”* and users often felt that they wouldn't be listened to (Jobling 2019, p. 17):

*“[The tribunals are] a bit intense. Three acting authority figures sitting there, discussing what they'll dae wae ye...I think they gave me a chance, but eh, they didnae really listen tae me. Just done what they want done'. Jack was not a partner involved in discussions about his care and treatment, but instead felt infantilised and that he lacked control.”* (Participant in Macgregor 2022, p. 5)

Participation was enabled through *“having the assistance of a mental health advocate or creating an advance statement can potentially help to promote participation and achieve responsiveness”* (Macgregor 2022, p. 4); however, these are *“seldom used”* (Macgregor 2022, p. 5).

## 6.7.2 Autism

The experiences of autistic users of the family justice system were explored in a study by George *et al.* (2020). This study reported that *“experiences within the family justice system exacerbated the manifestations of some autistic traits”* (George *et al.* 2020, p. 11). These autistic individuals also described, *“difficulty from their perspective of other people misrepresenting things, which they often ascribed to having malicious intent”* (George *et al.* 2020, p. 11). Many struggled with whether and when to disclose their diagnosis (George *et al.* 2020, p. 12). For users there was a *“perception that autism was treated differently – invariably, taken less seriously and given less respect – than other forms of disability, particularly physical disabilities”* (George *et al.* 2020, p. 14). Users struggled to receive support and adjustments, with the burden on the individual to ask for these (George *et al.* 2020, p. 16). Furthermore, *“some participants felt that asking for support or adjustments would be viewed negatively and consequently impact on their cases”* (George *et al.* 2020, p. 17). Some users described these adjustments as not being adhered to or ignored (George *et al.* 2020, p. 18). It was even suggested that their communication difficulties may have played a part in the reason they ended up in the court in the first place (George *et al.* 2020).

Communicating in a courtroom context was particularly difficult for some of those with autism, including those who were described as *“not readily understanding about turn-taking in communication”* (George *et al.* 2018, p. 10) and lawyers indicated that they needed *“more time for taking instructions and feeding back decisions to clients”* (George *et al.* 2018, p. 12). For this group it was recommended that:

*“communication is as clear and unambiguous as possible. Avoiding indirect and non-literal language such as idioms or colloquialisms, sarcasm or double-negatives [...] Questions should be precise and to the point and are also helpfully prefaced with the person’s name so that it is clear that the question is directed to them. Interruptions to the questioning are generally best avoided”* (George *et al.* 2018, p. 17).

To help with communication for autistic users they suggest the *“use of familiarisation visits to the court and the advanced viewing of documents.”* (George *et al.* 2018, p. 18)

## 6.7.3 Learning disabilities

Disabled people found themselves frequently *“not being taken seriously”* and there being *“a fear of being not believed”* (Harding *et al.* 2024, p. 15). Users described *“feeling unwelcome in offices, of being given legally incorrect advice, and of being overwhelmed by technical language that professionals made little attempt to make accessible”* (Harding *et al.* 2024, p. 25). Instead of speaking to the users themselves, legal professionals tended to communicate *“with family members in standard formats”* leading to the recommendation that *“legal professionals should be trained and prepared to communicate directly with their client who lacks capacity”* (Harding *et al.* 2024, p. 27). The study highlighted the importance *“that legal professionals also ‘take seriously’ potential clients with learning disabilities, and are able to communicate with them in a way which is accessible and*

*inclusive*” (Harding et al. 2024, p. 16). Like many other users there was evidence of unmet legal need, and users with learning disabilities would benefit from *“high quality accessible legal information on a range of different legal topics”* (Harding et al. 2024, p. 5).

In the case of parents with learning disabilities in the Scottish children’s hearing system, research indicated that parents may struggle *“in responding to identified concerns and correcting inaccuracies”* and *“may simply accept through increased ‘suggestibility’ or a desire to move on to substantive discussion and to have ‘their say’”* (McGhee and Hunter 2011, p. 6). There was evidence of some parents struggling to participate including due to language:

*“they used these big words and they only explain to you what these big huge words. I didn’t understand them. And they know I’m a slow learner and they, but they didn’t say hold on, this is what this means ... I’ve not got a clue”* (participant in McGhee and Hunter 2011, p. 7).

Parents benefited from the presence of supporters (McGhee and Hunter 2011, p. 8) and may need a meeting following the hearing to explain the decision and possible implications (McGhee and Hunter 2011, p. 7). As mentioned earlier in this report, users with learning disabilities need additional support that is not possible with the way legal aid is funded (McGhee and Hunter 2011, p. 8).

## **6.8 Domestic abuse in Family Courts**

Due to the significant number of studies that considered the impact of domestic abuse within the Family Courts (17 studies for which it was key focus of investigation, with other studies addressing it in passing), a separate section of this report was required to address clearly context-specific findings, though some findings of these studies have been addressed in earlier sections of the report, and some insights presented below will resonate clearly with what has been presented previously. This section has five key themes, including: not being listened to, not being sufficiently protected, the threat of parental alienation, the ongoing impact of engagement in the Family Court, and structural issues and the way to help manage them. As with other parts of the report, and perhaps even more so, there have been a significant number of reforms in this area over this period, including the extension of the availability of special measures as part of the Domestic Abuse Act 2021, the recent announcement of the expansion of the Pathfinder programme (an example of this intervention is described in Jones (2023)), as well as the announcement in October 2025 that the government intends to appeal the presumption of parental involvement via the Courts and Tribunals Bill. This means that depending on the date when the empirical research was carried out, there’s a distinct possibility of variations in legislative contexts between the studies.

### **6.8.1 Not being listened to, believed, or taken seriously**

A range of studies highlighted that survivors were not being listened to, believed, or taken seriously. This may be due to *“[f]ailing to adequately consider allegations of abuse”* (Quinlan 2024, p. 12), *“a culture of disbelief”* (Birchall and Choudhry 2018, p. 5), or the impact of counter allegations such as those of parental alienation (addressed below). Other studies highlighted:

*“a resulting lack of understanding of the different forms that domestic abuse takes, and of the ongoing impacts of abuse on children and victim parents, the systematic minimisation or disbelief of abuse, and the acceptance of counter-allegations without robust scrutiny.”* (Hunter et al. 2020, p. 5)

Correspondence to the Domestic Abuse Commissioner echoed how experiences were minimised and highlight a lack of professional user understanding:

*“In eighty five percent (92 of 108) of correspondence sent to the Commissioner discussing private family law proceedings, victims and survivors described how they felt that their experiences of domestic abuse had been minimised throughout their Family Court proceedings, and/or that professionals who were involved in the Family Court, (i.e. Family Court staff, Cafcass and legal representatives) did not understand the nuances of domestic abuse.”* (Domestic Abuse Commissioner 2023, p. 25)

Similarly:

*“A common finding was that survivors in our sample felt that evidence of domestic abuse was not taken seriously by the courts and other professionals involved in the child contact process, and that the dynamics and impact of domestic abuse were not understood.”* (Birchall and Choudhry 2018, p. 23)

One study highlighted that the use of experts *“can be problematic when domestic abuse is a factor”* as *“the court’s focus shifts from the perpetrator to the mother, and time and money is expended in determining the cause for her ‘abnormal’ presentation which is seen as impacting child contact arrangements”* (Grey 2023, p. 17). Furthermore, *“power imbalances, already in existence because of domestic abuse, were further aggravated by the pressure to agree to an expert assessment and resulted in the merging of consent and coercion”* (Grey 2023, p. 8). As a participant from another study indicated:

*“The Family Court believes his claims that I am making it [the abuse] up rather than my evidence that I am not mentally ill and have a trauma response when he is threatening towards me”* (Quinlan 2024, p. 11).

Different users also had different orientations towards the issue of rights: *“women survivors of domestic abuse were more likely to focus on their children’s rights, while their abusive former partners were more likely to advocate for their own rights”* (Birchall and Choudhry 2018, p. 42). Some users indicated concerns with how this was received: *“[m]others felt they and their children were regarded with disdain in PLP [private law family court proceedings] for reporting CSA [Child Sexual Assault]”* (Dalgarno, Bramwell, et al. 2024, p. 353). Children’s experiences of domestic violence were largely disregarded in Cafcass report recommendations:

*“what children disclosed about domestic violence and child abuse was not routinely or explicitly included in conclusions drawn about child welfare, and disappeared completely from all report recommendations about contact and future action.”* (Macdonald 2017, p. 9)

The silencing of children was present in other studies:

*“the voices of children go unheard or are muted in various ways where domestic abuse was raised. A large proportion of children have no direct involvement in the family court process, with parents or carers being relied upon to represent their views [...] Submissions identified a process of ‘selective listening’, whereby children who wish to have contact with their non-resident parent are heard but those who do not wish to have contact are not heard or pressured to change their views.”* (Hunter et al. 2020, p. 6)

The acknowledgement of the experiences of domestic violence built confidence:

*“Judges’ ruling in women’s favour served as validation of their experiences and built confidence that final decisions about contact would reflect the harms of living with violence, even where not all specific claims were upheld. Many women used the term ‘relieved’ about FFHs [Fact Finding Hearings] ruling that they were ‘telling the truth’” (Coym et al. 2015, p. 8).*

## **6.8.2 Not being sufficiently protected/safeguarded**

The research suggested a vast array of examples where survivors (including children) were not being sufficiently protected and safeguarded by the Family Court. Many studies highlighted users not feeling safe, and how the proceedings were (re)traumatising:

*“victims generally reported not feeling safe at court and the evidence submitted suggested that they often found that the court proceedings themselves had been re-traumatising” (Hunter et al. 2020, p. 7).*

This was alongside the other negative emotions faced as a result of the process:

*“When asked about impacts of proceedings, the most common words that women used spoke powerfully of being emotionally and psychologically ground down: stress; depression; sleeplessness; eating problems; anxiety; panic; and therapy and counselling. Even the conclusion of the case did not free them from coercion and control. Yet it was the proceedings themselves, the recurrent attendances at court alongside the men who abused them, surveillance by courts and statutory agencies and fear of case outcomes that might jeopardise their children’s safety which had more negative impacts on their physical and mental health. Tellingly, some women likened involvement in proceedings to living with domestic violence: the uncertainty, loss of autonomy, denial of their reality and fears that children would be harmed.” (Coym et al. 2015, p. 9)*

In the words of a participant:

*“He uses the family court to intimidate and further abuse you and your child. I will never be able to express the fear and indescribable stress of going through the court process with someone I was so terrified of.” (participant in Hunter et al. 2020, p. 109)*

Further studies were also in agreement, highlighting the adversarial nature of the Family Court and its impact:

*“Victims and survivors who said that they found the proceedings difficult also noted that the adversarial nature of the Family Court was retraumatising, particularly when having to recount their experiences of domestic abuse in front of the perpetrator and be cross-examined in a manner which was intimidating, condescending, and deeply distressing” (Domestic Abuse Commissioner 2023, p. 24).*

For survivors, the hearings affected their sense of physical security, as well as victims’ psychological wellbeing, and the study found that LIPs were particularly vulnerable (Hunter et al. 2020). This included concerns about physical health *“noted by mothers as somatised stress and trauma responses” (Dalgarno, Ayeb-Karlsson, et al. 2024, p. 284).*

Studies that had their empirical work conducted before the Domestic Abuse Act 2021 (which included the extension of the availability of special measures) engaged with LiPs that in many cases were expected to cross-examine their abusers and were cross-examined by them in turn (Mant 2022). Attending court was particularly traumatic:

*“there were many accounts of the ordeal that victims reported experiencing when attending court and giving evidence; many described it as the worst experience of their lives, using terms such as ‘horrendous’”* (Hunter et al. 2020, p. 108).

Giving evidence was problematic even with judicial assistance:

*“Although the judiciary assist by asking questions on behalf of the abused LIP and ensuring that questions from the abuser are directed to the judge this is not sufficient to redress the power imbalance that exists.”* (Barry 2017, p. 202)

This can also impact the quality of the evidence submitted to court:

*“The difficulties of cross-examining their perpetrators may mean they do not ask sufficiently probing questions or challenge responses, which again informs what evidence is available to the court.”* (Coym et al. 2015, p. 14)

A number of studies raised concerns around access and availability of special measures (Independent Domestic Abuse Services 2020, p. 20), and the fact that many users were put in a position to have to strongly advocate for themselves in order to have their needs met within the legal process:

*“no system for the early identification of cases where special facilities might be needed [...] it was mostly down to women’s own persistence in lobbying court officials, or arranging to arrive early enough to secure any safe spaces”* (Coym et al. 2015, p. 11).

There was also evidence of users not being aware that accommodations for their needs were available:

*“Many survivors are not aware of the measures that can be taken to help them to feel safe when attending courts, such as screens, video links, separate waiting rooms, and entrances”* (Independent Domestic Abuse Services 2020, p. 20).

Though these were not always available due to *“very limited resources or where the court building has physical limitations that make it difficult to implement these provisions.”* (Independent Domestic Abuse Services 2020, p. 20)

### **6.8.3 The threat of parent alienation**

Studies that reported on domestic violence in the Family Court almost always referred to the threat or use of the counter allegation of parental alienation. Cafcass defines parental alienation, also known as ‘alienating behaviours’, as:

*“how one parent or carer undertakes and/or expresses an ongoing pattern of negative attitudes and communication about the other parent or carer that have the potential or intention to undermine, manipulate or even destroy a child’s relationship with their other parent or carer” (Cafcass 2026).*

Research evidenced that courts had a presumption of parental involvement, and many were pro-contact:

*“regardless of the particular circumstances, even where the most serious allegations of domestic abuse were raised, courts expected that parents would work together to facilitate contact arrangements.” (Hunter et al. 2020, p. 8)*

Similarly, *“the County Courts actively promoted as much contact as possible even in cases of proven domestic violence, welfare concerns or strong opposition from older children” (Harding and Newnham 2015, p. 131).* There is evidence of this pro-contact stance in the analysis of Cafcass Children and Family Reporter recommendations:

*“Content analysis of report recommendations provided evidence of a pro-contact stance across the total sample, even in cases where domestic violence, and/or other types of abuse, was clearly evidenced and/or where children opposed contact because of their father’s violence [...] Children’s voiced expressions in favour of contact were represented as straightforward, and therefore positively influential in recommendations. However, children’s opposition to contact was routinely viewed and treated as problematic [...] where a child expressed a wish for no contact their perspective was routinely constructed as problematic and obstructive, even if the child expressed fear of their father due to experiences of violence” (Macdonald 2017, pp. 6–7).*

Survivors of domestic abuse *“had been warned by legal advisers about raising domestic abuse for fear of being accused of so-called ‘parental’ alienation” (Domestic Abuse Commissioner 2023, p. 33).* When it was raised, claims of parental alienation ensued (Birchall and Choudhry 2018), with mothers *“referred to repeatedly by professionals as ‘alienators’ or ‘emotional abusers’” (Dalgarno, Bramwell, et al. 2024, p. 350):*

*“Mothers reported consistently that PA [parental alienation] was raised as a counter-allegation to abuse reports after child abuse had been alleged, with only a minority of cases not concluding there was PA. Mothers described how PA not only shifted the focus of proceedings once raised but also diminished and often completely side-lined the investigation of DA and child abuse.” (Dalgarno, Ayeb-Karlsson, et al. 2024, p. 285)*

More alarmingly:

*“[mothers] described perceptions that courts ‘pushed’ them into an inescapable PA trap, where professionals were seen as pursuing an ‘alienation agenda’ and then construing mothers’ trauma responses and help-seeking as indicators of PA” (Dalgarno, Ayeb-Karlsson, et al. 2024, p. 286).*

#### **6.8.4 Ongoing impact of the involvement in the Family Court**

Having to reiterate events that users in the Family Court had experienced amounted to being *“retraumatised by having to retell their ‘story’ to a plethora of professionals, who often dismissed or minimised what had happened to them” (Grey 2023, p. 6);* other authors speak of *“revictimisation”*

(Hester *et al.* 2025, p. 22). Some users indicated that *“the level of abuse they and their children experienced worsened following proceedings in the family court”* (Hunter *et al.* 2020, p. 9). There was also evidence of clear and long-lasting effects of engagement with the Family Court including financial and health (Birchall and Choudhry 2018). There was also the continued impact of orders:

*“Respondents felt that orders made by the court had enabled the continued control of children and adult victims of domestic abuse by alleged abusers, as well as the continued abuse of victims and children. Many submissions detailed the long-term impacts of this abuse manifesting in physical, emotional, psychological, financial and educational harm and harm to children’s current and future relationships.”* (Hunter *et al.* 2020, p. 9)

### 6.8.5 Impact of structural issues on user experience

*“A lot of people think that court will be a safe space, but instead they find themselves caught in a minefield which they struggle to navigate.... I think I was punished for raising domestic abuse”* (participant/survivor in Domestic Abuse Commissioner 2023, p. 23)

Many of the issues highlighted earlier in the report – relating to things like the lack of information, the barriers to obtaining legal aid or representation, the impact of delays, and the problems of the adversarial nature of hearings – were present in the research on domestic abuse in the Family Courts. However, the serious nature and possible harms highlighted above often made these barriers even more destructive and problematic for users. Studies identified a range of structural barriers *“a pro-contact culture, adversarialism, resource issues and silo working”* (Hunter and Burton 2025, p. 16, agreeing with the findings of Hunter *et al.* (2020), p. 7) as well as confirming their consequences: *“the minimisation of domestic abuse, traumatic court proceedings, the silencing of children’s voices and unsafe orders that exposed children and protective parents to continuing harm”* (Hunter and Burton 2025, p. 47). The length of time required to resolve proceedings had an increasingly negative impact (Domestic Abuse Commissioner 2023, p. 25).

Strictly speaking legal aid is available to some survivors of domestic abuse, but there was clear evidence of barriers and insufficient access:

*“90% [of professional respondents] said there was insufficient access to legal aid for victim-survivors in these proceedings [...] the lack of a functional legal aid system generated the greatest concern amongst professionals.”* (Resolution 2024, p. 14)

The reasons for this are:

*“due to the victim-survivors requiring prescribed evidence of domestic abuse, needing to pass the merits test, and then having to have very limited means (capital and income) to pass the means test, it is rarely available in reality. [...] Large numbers of victim-survivors have the required evidence of domestic abuse but do not pass the means test and cannot afford representation, so have no option but to represent themselves in court. Further, the legal aid rates paid to lawyers [...] are so low that most firms can no longer afford to offer this service”* (Resolution 2024, p. 14).

The same study highlighted the financial barriers for some users to engage with paid representation:

*“even when there is money that has been generated during the parties’ marriage, but it is held in the other person’s name, the applicant may [...] be forced to rely on litigation loans with interest rates that*

*may be over 20% [...] the party controlling the money can spend freely on their own legal fees without scrutiny, gaining the advantage of extra time to formulate their case and understand the likely outcome. At the same time the victim-survivor (who in any event may have less understanding of the family finances) cannot get advice, unless their lawyer is willing to act on credit.”* (Resolution 2024, p. 14)

Users had misplaced expectations of what the Family Court was like and what it could offer:

*“The secrecy around the Family Court creates a lot of trauma. Women go into the process thinking that they are going to get justice and their abuse will be acknowledged, but that is not what the Family Court can offer.”* (Participant/survivor in Domestic Abuse Commissioner 2023, p. 16)

Beyond the general information needs, the research also highlighted:

*“a lack of information about the entire process of instructing an expert including understanding the rationale behind the instruction, what would happen in the assessment and potential outcomes of the expert report”* (Grey 2023, p. 6).

Intersectionality in research is lacking, highlighting that certain groups may not be having their needs adequately met:

*“There are particular barriers for victims of BAME backgrounds in raising domestic abuse; victims and the professionals supporting them perceived these barriers as involving racism, in addition to sexism and class prejudice. Male victims also face particular barriers, with some respondents highlighting that stereotypes about ‘real’ victims present an obstacle to being believed.”* (Hunter et al. 2020, p. 6)

Many of the solutions to these structural barriers are the same as those which would be helpful in other contexts:

*“treating parties with respect, dignity and empathy; taking the time to clearly explain the process, the outcomes, and what would happen next; projecting warmth and maintaining eye contact; listening carefully to what the parties were saying; and ensuring the parties felt comfortable and able to ask questions.”* (Hunter and Burton 2025, p. 71)

# 7 Findings: Interventions

This section presents the findings in-depth review and synthesis (stage 2) of the second research question: what is known about measures/interventions to improve user experiences or views, including their effectiveness in the UK justice system? Recognising the low numbers of intervention studies as described in the descriptive map stage, the team continued to take a broad definition of what constituted an intervention. Within the studies included in the synthesis, there were 22 in total with 10 based on specific named interventions, and the remaining 12 being unnamed interventions. They covered topics such as:

- Types of mediation schemes (facilitative judicial mediation (Boon *et al.* 2011), HMCTS opt out mediation (HMCTS 2023), rental mediation service pilot (Ministry of Justice 2023), a Family Court settlements pilot (Summerfield and Pehkonen 2019)).
- Advice and assistance (the impact of providing advice to LiPs (McKeever *et al.* 2018), personalised legal support tools (Eades 2024), the 'Help with Family Mediation' Legal Aid Scheme (Blakey 2024)).
- Evaluations of current, reformed, or piloted processes (reducing the length of care proceedings (Beckett and Dickens 2014), process evaluation of the use of experts in family law (Brown *et al.* 2015), the Immigration and Asylum Appeal Reformed Service (HMCTS 2025), the user experience of the HMCTS video hearings (Rossner and McCurdy 2018), civil legal aid mandatory gateway review (Ministry of Justice 2014), supervision orders and special guardianship orders (Harwin *et al.* 2019), an evaluation of the Pathfinder intervention of children's engagement in private family proceedings (Jones 2023)).
- Family Drug and Alcohol Courts (Harwin *et al.* 2014) and post-proceedings support in these (Baginsky *et al.* 2024).

As there was no direct overlap between these intervention studies, there is no way to provide a synthesis on this material, but it is possible to compare certain elements of the studies, and report on other findings. One aspect is the type of evaluations carried out. Here it is important to make the distinction between process evaluations and outcome evaluations. Process evaluations “*focus on the extent to which the program is implementing policies and practices as intended, as well as how those policies and practices are experienced by program partners and participants*” (Rodi *et al.* 2018, p. 22). An outcome evaluation, on the other hand, explores whether the goals of an intervention are being achieved. It is important, that while many did not specifically use this language, the vast majority were process evaluations (and two were clear to identify themselves as such (Rossner and McCurdy 2018, Summerfield and Pehkonen 2019)), with only a small handful being true outcome intervention studies (Harwin *et al.* 2014, Baginsky *et al.* 2017). One of the HMCTS studies identified itself as “*a process and limited impact evaluation*” (HMCTS 2023). The implications of this is not only

are there a very small number of intervention studies overall, but the number of rigorously designed evaluation studies with or without counterfactuals is even tinier.

When considering the sources of funding for the studies and authors of these evaluations there are some interesting findings.<sup>5</sup> Firstly, UK government agencies and local authorities were the primary funders of this type of research (n= 14), followed by the Nuffield Foundation (n=3), and charities/ NGOs (n=2). The remaining five studies did not disclose any source of funding. Interestingly, none of the intervention studies had been funded through UKRI. In terms of authors, academics accounted for the most frequent type of author (n=12), followed by government agencies (n=6), commercial consultancy firms (n=4), and charities/NGOs (n=2).

<sup>5</sup> Numbers may be different to the given numbers of studies as some of these studies received funding from multiple sources, or had multiple authors that fell into different categories

# 8 Discussion

This research has synthesised findings across a vast range of sources. In doing so, it has provided insights not only in relation to public user views and experiences of the justice system and interventions to improve these, but also reflections on the nature of the research in this field and the application of the two-step mapping-then-synthesis methodology to this topic. This discussion presents these overarching reflections and will start with those on the findings of the views and experiences question; this will be followed by insights from the interventions question, before considering the methodology and then the strengths and limitations of this project. This section will be followed by a series of recommendations based on these overarching conclusions.

## 8.1 Reflections on the findings of the views and experiences question

This report consolidates a very diverse range of literature that was produced in a variety of contexts, for a range of purposes, and in an environment that is continually changing due to technological advances, variations in process and legislation, and the natural diversity that occurs in different locations – itself due to the varied ways in which judges manage their hearings, the diverse spaces hearings are held in, and countless other variables. Public users of courts and tribunals also have their own variation in concerns, circumstances, and journeys, so as the literature reminds us: there are *“no two journeys that are completely alike”* (Mant 2022, p. 149). This having been said, there are a range of overarching themes that emerge from within the studies included within the in-depth review (and therefore are limited to reflections on the civil, family, and administrative justice), and the section that follows highlights these key themes.

### 8.1.1 Theme one: There is clear evidence that public users’ information, assistance, and emotional needs are not being met

Public users need access to high-quality assistance in order to meaningfully participate in legal processes, which includes information and advice, as well as other forms of support, such as emotional support. This needs to be timely, and users may need access to information and assistance before, at various points during, and after their engagement with courts and tribunals. Users often can’t understand or don’t differentiate between different types of support; they just simply identify the need for assistance. For some users, these types of support need to be bundled together to be effective, such as the provision of emotional support which then might enable them to seek out available information and suitable advice. While there is a lot of information available, this can be overwhelming and hard to navigate, especially for those with vulnerabilities. Available sources of information can be patchy, sometimes of questionable quality, overly complicated, use jargon, confusing language, or be overly verbose and difficult to understand. Information may be more readily available for some parts of their legal journey or certain jurisdictions than others. When faced

with multiple sources of information, users often struggle to identify what are reliable and appropriate sources for them to use.

For a range of reasons – including the barriers to securing legal aid, the cost (or perceived costs) of self-funded representation, and the increasing cost of living – public users are having to increasingly rely on the charity sector and whatever help they can harness from their own personal networks. Many public users rely on the internet – including social media – for information and support, which can provide resources of mixed quality, with some sources being misleading or inaccurate. The availability of information and assistance online presumes a baseline standard of digital capability. Personal networks are a key area of support and information. Some users rely on McKenzie Friends, whether these be from their networks, volunteers from charities, or fee-charging advocates. The absence of any formal quality checks or regulation of this type of informal advocacy may leave users particularly vulnerable to the ‘potluck’ nature of support. There may be concerns around the type and quality of information or advice that is given by McKenzie Friends or from personal networks, though for many, the emotional support provided by these are crucial. Socio-economic factors may also impact upon the availability and quality of these personal networks.

Information provision from the court service before, during, and after proceedings needs to be improved. This includes providing clearer, simplified, and reworked forms that provide plain guidance, using accessible language and formats for their communications, setting reasonable expectations and providing suitable updates about the progress of their case and next steps. Where possible, approaches should be adapted to engage suitably aged children in communications. There is also scope for the court service to provide clear and accessible information to address some of the needs described above.

### **8.1.2 Theme two: The impact of the withdrawal of investment, austerity, and cost cutting on the justice system has led to a significant negative impact on public user experience**

Taken together the study findings present a picture of how austerity and other cuts to funding have caused a significant negative effect on the justice system, and this is evident in public users’ experiences. Firstly, LASPO does not provide adequate legal aid for those that need it most. This is due to a range of reasons, including its very narrow eligibility criteria that are hard to meet and hard to evidence and the difficulty of finding a suitably skilled solicitor that is able and willing to accept legal aid cases. This lack of resourcing means that those with additional support requirements or vulnerabilities can be turned away as their needs do not fit within current criteria, or even if they do qualify, the level of funding does not permit the provision of a quality service that fully meets these users’ needs.

Furthermore, there is clear evidence of the impact of cuts to funding for charities and NGOs that support users with the provision of guidance and information, meaning that these services are even further stretched. Finally, from research carried out in some of the tribunals, including Social Security and Immigration, the evidence seems to suggest that austerity has affected the quality of local decisions being made (within local authorities and government departments), requiring the greater involvement of tribunals to rectify these situations.

### **8.1.3 Theme three: Public users often don't know what to expect or have misplaced expectations of courts and tribunals, exacerbating other concerns around understanding**

Users who engage with courts and tribunals often lack understanding about what the hearing will be like, who else will be there and what these other users' roles will be, what their personal role will be, what the space will be like, what will happen and when, how long it will take, and what is expected of them at different stages. Furthermore, due to complexity inherent in the system and its relative inaccessibility, users may struggle to identify exactly what assistance or information they need to seek out, or what they need to have prepared on the day. This can leave lay users ill-prepared despite their best efforts or suffering significant anxiety as a result, which is also likely to impact their ability to participate in the process. Misunderstandings can be exacerbated by the use of problematic sources of advice (which relates to the first theme) and the adversarial nature of some of the hearings, which may be problematically framed as competitive and combative. Not understanding how the hearing will run (for example, the order that evidence will be taken), what is being said in the hearing (particularly due to exclusionary complicated legal terminology), or what is happening – as well as misplaced expectations around the opportunities to 'tell their story' or participate – can leave users feeling silenced and marginalised. There is evidence that having legal representation does not always negate this.

### **8.1.4 Theme four: Some professional users, notably judges, are going to significant lengths to help enable understanding and participation, and there is evidence that this improves how users see the process**

There is clear evidence that some judges – and other professional users – work hard to ensure that lay users, especially LiPs, understand what is happening and have the opportunity to participate in the process. They may take time to explain procedures, adapt their communication style, give guidance on what is required, provide encouragement, or adopt a more inquisitorial approach in an adversarial setting. Often this type of assistance is provided in an ad hoc way, in response to the specific needs identified on the day and can be the case for both LiPs as well as represented parties. This serves a levelling function (especially in semi-represented hearings) and can vastly improve how users perceive the process. The corollary is also true, seeing judges as disinterested, hostile, or unhelpful can lead to perceptions of unfairness. The comportment of the judge and the treatment of LiPs by opposing legal representatives have a significant impact on user experiences, both positive and negative, but as many of these adjustments occur on an ad hoc basis due to perceived needs (and there is evidence showing that many needs are not identified), they therefore can be inconsistent. We also don't know how representative the reported ad hoc adjustments are of practice across the relevant jurisdictions.

### **8.1.5 Theme five: There is need for improvements in the processes around reasonable adjustments and special measures**

There is clear room for improvement around the identification and provision of reasonable adjustments and special measures for those that require them. Early identification is essential, and there are not always clear channels by which users are able to highlight these needs or make requests. Users indicate that it is often difficult to know what support is obtainable, and many won't

necessarily declare their needs unless they are asked directly and know that there is help available. Users also fear that disclosing needs will affect their case, especially in the context of the Family Court. Facilities need to be improved to provide these adjustments, as there are locations where they aren't available. Currently, legal representation can help access reasonable adjustments and special measures, leaving LiPs at a disadvantage in this respect, which can lead to further inequalities – especially as some users are better placed to request assistance than others.

### **8.1.6 Theme six: Public user engagement with courts and tribunals does not occur in isolation, with personal experiences and circumstances affecting engagement, and engagement having broader impacts on lives and networks**

Engagement with courts and tribunals does not happen in isolation from other personal circumstances. For public users, their engagement is frequently part of a lengthy, problematic, and often drawn-out series of concerns, that stretches far beyond their court and tribunal process. These concerns or problems are often 'clustered' and entangled with other issues that may be longstanding and of considerable stress and anxiety, and this can affect a user's ability and capacity to engage. Engagement can be conditioned by circumstances, including previous experience with the justice system. Bad experiences with courts or tribunals or their staff can colour how users feel about their current experience or their willingness to seek resolution on a subsequent issue. The failure to seek resolution on subsequent issues is likely to result in further clustering and what may be termed the 'cycle of decline'.

Involvement with the justice system can create and exacerbate vulnerabilities even for typically less socio-economically disadvantaged people. Users can suffer compounding forms of disadvantage and can also be disadvantaged by the situation they find themselves in, for which they are seeking resolution. There is clear evidence of the emotional, psychological, and health impacts of engagement with courts and tribunals. These impacts are uneven, but there is a lack of research that explores intersectional trends. There can be significant personal cost to engagement, including financial, time, and emotional, as well as other costs and disruptions that can radiate through families and networks, as these individuals both rely on the support of others and find themselves unable to provide their usual support to their families and friends in return.

Many of the findings included above offer ways to help public users engage a system that often does not meet their needs or facilitate their participation. The more aspirational studies concluded that instead of finding ways to help fit public users into the legal system, more had to be done to make changes to the legal system to better address user needs.

## **8.2 Reflections on interventions**

Given the volume and range of intervention studies that occur on health- and education-related topics, and their impact on policy recommendations, it would be reasonable to expect a similar volume and range of intervention studies on user views and experiences of the justice system and ways to improve them. One of the key findings of this review is that this is very much not the case. As explained in the section on interventions, even when taking a generous definition of what constitutes an intervention, there were only a small number of studies, with no two evaluations considering the same intervention. Most intervention studies were largely simple, post-implementation reviews with a

very limited number of outcome evaluations. In the simplest terms, this research shows that there are only an incredibly small number of rigorously designed evaluation studies in this area.

Recently, we have seen an increasing range of HMCTS evaluation studies which have lately been used to evaluate the reform programme (Harrison *et al.* 2024, Frontier Economics *et al.* 2025, HMCTS 2025). Furthermore, some of the other included evaluation studies highlight the success of some of these interventions, including the Family Drug and Alcohol Courts (Harwin *et al.* 2014) and the evaluation of the Pathfinder courts (Jones 2023), which was recently announced for a broad roll out (HMCTS 2026). Despite this, it is not entirely clear why the number of quality intervention studies is so low. This could be due to a generally lower number of interventions. But it seems more likely that there is not the strong culture of evaluation in the parts of the justice system considered in this review that is seen in other public sector services such as healthcare and education. Many researchers working on evaluating courts and tribunals would also highlight the enormous issue of access, to data and to public and professional users. Previous studies have clearly shown the barriers to applying Randomised Control Trials (RCTs) or other (quasi)experimental research designs to the justice system (Baginsky *et al.* 2017).

## 8.3 Reflections on methodologies and other aspects of included studies

### 8.3.1 Growth in number of publications

Although there appears to be a growth in the amount of research in this area, the pool of studies appears quite small given the overall scale and complexity of the experiences across the jurisdictions covered in this review. It is also evident that the growth in the number of publications reflects particular areas of the justice system, with well over half of the studies included in the synthesis considering experiences of the Family Court.

Despite this unevenness, we are seeing an exponential increase in the number of studies being produced which meet the parameters that were outlined by the search strategy. There are of course possible mitigating factors, such as the possibility that older grey literature may no longer be available or be harder to source – or potentially that this illustrates increasing interest in research in this area, or the increase in research in the final five-year increment being due to the evaluations of the impact of the COVID-19 pandemic, or even an increasing number of publications being produced on a given study (as the map provides a count of reports (publications) and not studies). Regardless of other possible explanations and mitigating factors, this clearly exponential increase is consistent with research which reports similar increases in academic publications and journals across many disciplines (Bornmann and Mutz 2015, Bornmann *et al.* 2021, Thelwall and Sud 2022). It is precisely this increase in the number of studies being produced which highlights that greater work needs to be done on evaluating this evidence base – such as via systematic reviews – which allows this research in its breadth to become accessible to a wider audience. Such evaluation also helps highlight the gaps where greater research is needed.

### 8.3.2 Critical appraisal and issues in reporting

As mentioned in the section above, due to the incomplete reporting of methodologies, it became problematic to use the MMAT critical appraisal tool (Hong *et al.* 2018), due to concerns about it not

being reliable, or well suited for this purpose. This came as a surprise, especially due to the use of the MMAT in the systematic review by the Victims' Commissioner (Burch and Stamp 2025). Burch and Stamp did not, however, indicate in what capacity it was being used (for example, to exclude studies that did not meet a quality threshold, or to evaluate the general quality of the studies), and there was no reporting of exclusions or evaluations of research quality. In hindsight this may have been an indication of its limited applicability.

Given the healthcare origins of the MMAT tool, it was designed in a context where there are clearer conventions around what is expected to be reported in a research study. Responding to these questions was particularly difficult in this review for a range of reasons, most of which related to weaknesses in the reporting of a study and its methodology. Specific weaknesses that were frequently encountered included:

- Not providing adequate research questions (studies frequently discuss a broad gap in the literature and indicate that they are attempting to fill that gap without presenting a clear and specific aim for the research).
- Providing little to no description of the research sample, sampling strategy, or participant recruitment methods.
- Providing little or no description of the analytical method (many studies indicated that they were analysed 'thematically', providing no further information such as whether themes were existing or emerged from the research itself).
- Not adequately distinguishing findings that came from the empirical aspects of the study from those that emerged from the review of the existing literature.
- Mixed methods studies that don't integrate findings (this can be a very valid methodological choice; however, the MMAT tool evaluates studies on this integration).
- Providing little to no discussion of the limitations/validity of the study.
- While not captured by the MMAT, many studies failed to address ethical concerns as well, which other scholars have highlighted is an important aspect of quality appraisal (Harrison *et al.* 2021).

One possible indicator of the problems regarding the ways in which studies are reported can be seen in the number of studies that were excluded between the title and abstract screening and the full text screening. Despite the broad and unchanged screening criteria, the number of included studies dropped by over 40% (see figure 2 on page 19), meaning that the following factors were ambiguous when reviewing the study using title and abstract only (noting that reports were excluded on the first criteria that they didn't meet, some studies may have had multiple areas of ambiguity): 44 weren't investigating the justice system as defined by the review, 57 weren't considering public user experience or an intervention, 9 studies weren't conducted in the UK, and 63 studies weren't primary research. This was especially shocking to those team members who were less familiar with the literature in the area, who despite being experienced with a range of abstract styles, were surprised by the failure of many of these titles and abstracts to appropriately convey the contents of the text.

Compared to other systematic review examples, this work contains far more linked reports, and this is by no means an exhaustive list. It is impossible to establish causation behind this, but it is an interesting finding nonetheless and may be one of the reasons for exponential growth in the number of studies that have been indicated above. There is also evidence of some studies publishing largely similar findings across slightly different formats.

## 8.4 Strengths and limitations of this research

### 8.4.1 Strengths

The key strength of this study is its novelty in developing an approach to dealing with the increasing amount and diversity of literature that is emerging in this area. In combining this diverse subject and methodological expertise, this study not only develops, but also reports on and shares tools that can now be applied in other studies while also being further developed and refined. The 'birds eye view' that it provides allows us to report on methodologies and study types, to evaluate broader trends. The literature included here is vast, and while the studies themselves are rarely representative, but combining them in this way gives a clear indication of key findings and patterns.

### 8.4.2 Limitations

There have been a range of limitations to this systematic review:

- The lack of existing systematic review studies in this topic area has meant that the team have had to design many of the tools that have been used in this study from the ground up, making the review process more labour intensive.
- Similarly, the issues around the standard of reporting of studies in both title and abstract – as well as the lack of transparent reporting of methodologies – meant that more time was required to review the research. It was often very difficult to determine includes and excludes due to the fuzzy boundaries of some of these criteria, as well as the inconsistent language used in the write-up of studies.
- The sheer volume of studies also meant that most weren't double reviewed, which ideally they would have been.
- The team faced difficulties in linking studies together, as some publications included funding details and others not, some linked through to websites that no longer existed, and a range of studies used the name of the overall project in some publications but not in others. This is especially important as there are a range of publications that essentially reproduce the findings in slightly different formats for slightly different audiences.
- With regards to the survey of experts, we only had a relatively small number of submissions, and given more we may have had certain additional texts included.
- Relatedly, despite our rigorous search strategy, it is always a possibility that things may be missed.

- Almost none of the included studies provide representative samples (for most, this was not expected as they were not designed to be representative), so while there are many repeated themes and insights, it is impossible to say just how representative they are of the overall sample population of interest within the particular study.
- Many studies involved the use of self-selecting samples, which in and of themselves can be problematic – a limitation rarely acknowledged with the literature itself (rare examples where this is acknowledged include Leader 2024, Hine *et al.* 2025).
- Finally, the research outlined in these studies was undertaken in a rapidly changing context. Changes in practices and circumstances may have come about as a result of the Taylor Review, LASPO, the impact of austerity, the COVID-19 Pandemic, and a myriad of other factors, not to mention different jurisdictions, with different levels of support and resourcing, and even down to the different ways judges managed their diverse hearings, which are received by different users who in themselves have diverse understandings, capabilities and experiences. Efforts have been made to provide context wherever possible, but by necessity some of these details have had to be excluded.

# 9 Recommendations

This paper makes recommendations in relation to three key areas: ways to transform the justice system, addressing specific evidence gaps, and changes to reporting and publications. These will now be addressed in turn.

## 9.1.1 Recommended ways to transform the justice system

- **Improve information provision for public users.**

As many studies in this review have highlighted, lay users struggle with finding quality sources of information, at the right time, that meet their diverse support needs. More needs to be done at a government level to provide a single trusted forum for users to be directed to that meets their information needs, as well as to improve public legal education more generally. This could follow the NHS model by working with search engines to prioritise suitable and accurate sources of information. Considerations regarding the level of digital capability to access information is essential. Communication around the stages and progress of the case by the court service, as well as simplifying forms and other documentation, are other required improvements to information.

- **Develop better systems for identifying and addressing reasonable adjustments and special measures.**

Evidence from this review has shown that the justice system is far from inclusive. Changes need to be made to improve the timely identification of needs for reasonable adjustments and special measures, and investment must take place to ensure that these measures can be implemented. Users need to know that these are available, and that requesting support will not be to their detriment.

- **Provide better resourcing to improve outcomes, including significant changes to the provision of legal aid.**

Due to the effects of LASPO, many users – through either eligibility criteria or barriers to access – have not been able to obtain legal aid, creating significant ongoing repercussions. Eligibility needs to be expanded, and greater resourcing needs to be provided to increase the availability and quality of legal aid solicitors, especially for those with higher levels of need. Consideration needs to be paid to how this expansion of publicly available legal advice and assistance could be funded, with the examination of other jurisdictions – for example, the approach to public funding in Australia. Resourcing needs to be improved more generally for the justice system to improve facilities, to ensure adequate staffing, and to minimise delays. Similarly, greater support is needed for the advice sector and the very important work that they do.

- **Develop better training for professional users.**  
 There was clear evidence in a range of studies of the positive impact that particular training and awareness-raising activities had around understanding, identifying, and creating adjustments for certain vulnerabilities and conditions. This needs to be expanded and clearer guidance around good practice offered. The importance of this recommendation is heightened by the increase in LiPs in the courts and tribunals system.
- **Explore the use of less adversarial approaches, especially in the Family Court.**  
 The evidence from this review indicates that the adversarial approach used by the Family Court can be particularly problematic for LiPs. The research already suggests that certain judges adopt more inquisitorial approaches to assist with participation, and that this can have a very positive impact. This should be explored in more detail, which should include research that evaluates evidence-based interventions – after which clearer guidance can be made available.
- **Build a stronger evaluative culture within the justice system.**  
 Every new justice system initiative should include plans for a suitable high-quality evaluation that is not limited to evaluating process alone. This should include increasing the internal capacity within the MoJ / HMCTS to conduct these evaluations as well as building better connections with academics, allowing greater access to both data and participants with which to conduct this research.
- **Adopt human-centred design approaches to work on re-engineering justice systems to better meet the needs of their public users.**  
 While many of the changes suggested in the research work on fitting public users into systems that they don't understand and cause significant distress, a more radical approach would be to focus on the needs of users and, using appropriate research and design approaches and methodologies, work on re-engineering these systems to better suit public user needs.

## 9.1.2 Recommendations on areas of research

- **Research that focuses on the 'whole of journey' or longitudinal approaches.**  
 Many of the studies we reviewed indicated just how much 'what came before' and 'what comes after' influences user experiences and outcomes – yet the methodologies used were largely not longitudinal or suitable for capturing this 'whole of journey' approach. The 'whole of journey' approach would enable the capturing of data concerning how the need for information, legal advice, and assistance and wider support might differ according to the varying stages of the process to seek resolution. Longitudinal approaches could be used to study the user experience before, during, and after involvement in formal legal processes. Longitudinal approaches can also explore whether engagement with and participation in legal processes solves problems, and whether these solutions are long lasting.
- **Research that explores the 'radiating' impacts on networks and lives of engaging with courts and tribunals.**  
 Participants in research studies highlight the broader effects on their personal lives and social networks, though this has rarely been the specific focus of engagement. As legal processes serve to 'interject' in peoples' lives, understanding more about the financial, educational, and health (psychological and physiological) impacts of this interjection is important, given

the significant potential for consequential impacts on public services and wider society. Understanding the connectedness of the justice systems to users' lives more broadly is essential. Research is also required to explore the 'radiating' effects of engaging with the justice system on families and broader social networks, and how engagement may affect these social and relational aspects of life.

- **Research that focuses on the impact of intersectionality on user experiences and journeys.**

Due to the specific methods used and the limitations of participant recruitment, these studies did not aim to be representative, but many, anecdotally, indicated how a range of overlapping social identities and circumstances influence users' participation and experiences, highlighting that there is scope to understand the intersectional effects of involvement. This should especially focus on concerns around compound or situational disadvantage.

- **Research that focuses on high-quality intervention studies.**

Even when taking a very generous view of what constitutes an intervention study, the interventions listed here were very limited in relation to what you would find in other policy areas, and of a different quality. There is considerable scope for researchers to work with the MoJ, HMCTS and the judiciary to produce a greater number of high-quality intervention studies. Greater support and training are required to encourage the use of more rigorous evaluation methods.

- **Economic analysis of the consequential impacts of the withdrawal of funding.**

There is a considerable amount of largely anecdotal evidence on the significant flow-on costs of the impacts of public funding for legal advice and representation being withdrawn, including the effects of protracted proceedings and indications of the consequential cost of welfare support. This needs to be investigated systematically. For example, research might explore the consequential impacts of constraints on funding for timely access to legal advice and support, in particular on increased spending on healthcare and welfare support. Research could examine the impact of constraints on funding for legal advice and representation in ongoing proceedings on the length of hearings, the need for interruptions or adjournments, or the need for judicial intervention

- **Greater efforts to consolidate and synthesise existing research.**

The significant increase in research in this area is clearly evidenced by the exponential increase in studies. This means that there is a need for a greater variety of review studies in their various forms to consolidate these findings. This requires the development of suitable coding, screening, and critical appraisal tools, as well as training for researchers in the types of review, their uses, and how to conduct them. These need to be rigorous if they are to be used as an evidence base for further research and policy recommendations.

### 9.1.3 Recommendations regarding reporting and publication

- **Explore ways to improve research methodologies and reporting standards.**

The systematic approach of this research highlighted a range of weaknesses in the ways in which research is reported – including weak or limited descriptions of methodologies, difficulties linking publications that relate to the same study, and not clearly distinguishing between the findings of the empirical work and extant literature in the field. These practices need to be improved through enhanced training for researchers, greater scrutiny and challenges from reviewers, and by journal editors (in their notes to authors) setting clearer expectations of what is required in accounts of methodologies.
- **Improve archival practices.**

Some reports gave only very basic details of the larger study from which data was drawn, and cited the university-hosted project website for the reader to pursue further information or provided a link to further information about the study through a personal website. Many of these links were broken, especially in the case of university websites that had not been archived. Researchers need to come up with suitable strategies for depositing their research for future access by researchers.
- **Optimise abstracts for search and comparison.**

The exponential growth in the amount of research available, and its relevance across a range of disciplinary settings, evidences a need for clearer labelling and more clearly descriptive abstracts that include details about not only of the issue in question, but also the methodology, the sample (where relevant), and general conclusions of the study. Again, we see this as a training issue for researchers, and relevant to reviewers and editors of journals or publishers of reports. Researchers would benefit from this improvement in the quality of their own work, its increased likelihood of being picked up in relevant searches, and its use in other systematic reviews (especially given the interdisciplinarity of socio-legal work).
- **Increase commitment to open research.**

For a handful of studies, the researchers had to go to considerable lengths in order to obtain a copy, and a small number, despite being identified, were not included due to a lack of access (attempts were also made to contact authors to obtain copies). Ensuring that studies offer either a green or a gold open access version makes research more readily available, especially to those in government or the charity sector who do not benefit from the various subscriptions offered to university academics. This also has implications given the increasing use of AI, which generally doesn't have access to paywalled publications.

# 10 References

Alessi, E.J., Alexander, L., Lee, Y.G., Fletcher, C., Aziz, A., and Zadeh, L., 2025. How Do Legal Aid Cuts in England and Wales Impact LGBTQ+ People Seeking Asylum? Perspectives from Providers and Directly Affected People. *Sexuality Research and Social Policy*, 22 (2), 787–802.

Baginsky, M., Hickman, B., and Manthorpe, J., 2024. Post-Proceedings Support in a Family Drug and Alcohol Court. *British Journal of Social Work*, 54 (6), 2336–2357.

Baginsky, M.T., Moriarty, J., and Manthorpe, J., 2017. The New Orleans Intervention Model: Evaluation of the Early Implementation in a London Borough.

Bailey, S., Thoburn, J., and Timms, J., 2011. Your shout too! Children’s views of the arrangements made and services provided when courts adjudicate in private law disputes. *Journal of Social Welfare and Family Law*, 33 (2), 123–138.

Barnard, C. and Ludlow, A., 2016. Enforcement of employment rights by EU-8 migrant workers in employment tribunals. *Industrial Law Journal*, 45 (1), 1–27.

Barnard, C. and Ludlow, A., 2022. Administrative (In) justice? Appellants’ Experiences of Accessing Justice in Social Security Tribunals. *Public Law*, 2022 (3), 406–426.

Barnett, A., 2020. *Domestic abuse and private law children cases: A literature review*.

Barry, K., 2017. Access to Justice and Civil Legal Aid Reform: A Socio-Legal Analysis of the Experiences of Litigants in Person in the Family and Civil Courts. *PQDT - UK & Ireland*.

Barry K A, 2020. The barriers to effective access to justice encountered by litigants in person in private family matters post-LASPO. *Journal of Social Welfare and Family Law*, 42 (4), 416–440.

Baude, W., Chilton, A., and Malani, A., 2017. Making Doctrinal Work More Rigorous: Lessons from Systematic Reviews. *University of Chicago Law Review*, 84 (1).

Beckett, C. and Dickens, J., 2014. Delay and Anxiety in Care Proceedings: Grounds for Hope? *Journal of Social Work Practice*, 28 (3), 371–382.

Birchall, J. and Choudhry, S., 2018. What about my right not to be abused? Domestic abuse, human rights and the family courts. *Women’s Aid*.

Blackham, A., 2021. Enforcing rights in employment tribunals: Insights from age discrimination claims in a new ‘dataset’. *Legal Studies*, 41 (3), 390–409.

Blakey, R., 2024. Assessing the availability of legal support through the 'Help with family Mediation' legal aid scheme. *Journal of Social Welfare and Family Law*, 46 (1), 82–103.

Boon, A., Urwin, P., and Karuk, V., 2011. What difference does it make? Facilitative judicial mediation of discrimination cases in employment tribunals. *Industrial Law Journal*, 40 (1), 45–81.

Bornmann, L., Haunschild, R., and Mutz, R., 2021. Growth rates of modern science: a latent piecewise growth curve approach to model publication numbers from established and new literature databases. *Humanities and Social Sciences Communications*, 8 (1), 224.

Bornmann, L. and Mutz, R., 2015. Growth rates of modern science: A bibliometric analysis based on the number of publications and cited references. *Journal of the Association for Information Science and Technology*, 66 (11), 2215–2222.

Boyle, K., Camps, D., English, K., and Ferrie, J., 2022. The Practitioner Perspective on Access to Justice for Social Rights: Addressing the Accountability Gap.

Broadhurst, K., Mason, C., Bedston, S., Alrouh, B., Morriss, L., McQuarrie, T., Palmer, M., Shaw, M., Harwin, J., and Kershaw, S., 2017. Vulnerable birth mothers and recurrent care proceedings. Lancaster: *University of Lancaster*.

Broadhurst, K., Mason, C., and Ward, H., 2022. Urgent Care Proceedings for New-born Babies in England and Wales - Time for a Fundamental Review. *International Journal of Law, Policy and the Family*, 36 (1).

Brown, S.J., Leam, C., Crookes, R., Summerfield, A., Corbett, N.E., Lackenby, J., and Bowen, E., 2015. *The use of experts in family law Understanding the processes for commissioning experts and the contribution they make to the family court*. London.

Burch, L. and Stamp, M.V., 2025. Disabled victims' experiences of criminal justice systems: A systematic literature review.

Busby, N. and McDermont, A., 2020. Fighting with the wind: Claimants' experiences and perceptions of the employment tribunal. *Industrial Law Journal*, 49 (2), 159–198.

Busby, N. and McDermont, M., 2012. Workers, marginalised voices and the employment tribunal system: Some preliminary findings. *Industrial Law Journal*, 41 (2), 166–183.

Cafcass, 2026. Alienating Behaviours | Cafcass [online]. Available from: <https://www.cafcass.gov.uk/parent-carer-or-family-member/applications-child-arrangements-order/how-your-family-court-adviser-makes-their-assessment-your-childs-welfare-and-best-interests/alienating-behaviours> [Accessed 10 May 2026].

Campbell Collaboration: Crime and Justice Group [online], 2026. Available from: <https://www.campbellcollaboration.org/crime/reviews/> [Accessed 6 Apr 2026].

Coyne, M., Scott, E., Tweedale, R., and Perks, K., 2015. 'It's like going through the abuse again': Domestic violence and women and children's (UN) safety in private law contact proceedings. *Journal of Social Welfare and Family Law*, 37 (1), 53–69.

- Creutzfeldt, N., Kyprianides, A., Bancroft, H., Bradford, B., and Jackson, J., 2023. *How has the pandemic changed the way people access justice?: Digitalisation and reform in the areas of housing and SEND.*
- Cullen, M. and Cullen, S., 2021. Young people's right to appeal to the English First-tier Tribunal (Special Educational Needs and Disability): learning from the first two years. *Journal of Social Welfare and Family Law*, 43 (1), 60–80.
- Da Silva, M., Horsley, T., Singh, D., Da Silva, E., Ly, V., Thomas, B., Daniel, R.C., Chagal-Feferkorn, K.A., Iantomasi, S., White, K., Kent, A., and Flood, C.M., 2022. Legal concerns in health-related artificial intelligence: a scoping review protocol. *Systematic Reviews*, 11 (1), 123.
- Dalgarno, E., Ayeb-Karlsson, S., Bramwell, D., Barnett, A., and Verma, A., 2024. Health-related experiences of family court and domestic abuse in England: A looming public health crisis. *Journal of Family Trauma, Child Custody and Child Development*, 21 (3), 277–305.
- Dalgarno, E., Bramwell, D., Verma, A., and Ayeb-Karlsson, S., 2024. 'Let's excuse abusive men from abusing and enable sexual abuse': child sexual abuse investigations in England's private family courts. *Journal of Social Welfare and Family Law*, 46 (3), 345–365.
- Domestic Abuse Commissioner, 2023. *The family court and domestic abuse: achieving cultural change.* London: Domestic Abuse Commissioner.
- Doughty, J., Meakings, S., and Shelton, K., 2017. The legal and administrative processes in adoption: views and experiences of newly formed adoptive families. *Journal of Social Welfare and Family Law*, 39 (4), 473–490.
- Eades, W., 2024. *Using personalised legal support tools to help benefits claimants challenge decisions.*
- Emerson, L., Lloyd, K., Lundy, L., Orr, K., and Weaver, E., 2015. *The legal needs of children and young people in Northern Ireland: the views of young people and adult stakeholders.* Queen's University Belfast.
- Family Rights Group, 2018. *Care Crisis Review: Options for Change.* Family Rights Group.
- Farrington, D.P. and Jolliffe, D., 2017. Special issue on systematic reviews in criminology. *Aggression and Violent Behavior*, 33, 1–3.
- Frontier Economics, IFF research, and Ministry of Justice, 2025. *HMCTS Reform Digital Services Evaluation Overarching Report.*
- Genn, H., 1999. *Paths to Justice: What people do and think about going to law.* Bloomsbury Publishing.
- George, R., Crane, L., Bingham, A., Pophale, C., and Remington, A., 2018. Legal professionals' knowledge and experience of autistic adults in the family justice system. *Journal of Social Welfare and Family Law*, 40 (1), 78–97.

- George, R., Crane, Laura, and Remington, A., 2020. 'Our normal is different': autistic adults' experiences of the family courts. *Journal of Social Welfare and Family Law*, 42 (2), 204–220.
- George, R. and Gallwey, A., 2016. How do parents experience relocation disputes in the family courts? *Journal of Social Welfare and Family Law*, 38 (4), 394–412.
- Ghuri, N., 2023. Domestic Abuse: The Dichotomy of Choosing between Informal and Formal Forum for Mediation, Arbitration and Justice. In: *The Sharia Inquiry, Religious Practice and Muslim Family Law in Britain*. Taylor and Francis, 78–94.
- Gill, N., Allsopp, J., Burridge, A., Fisher, D., Griffiths, M., Paszkiewicz, N., and Rotter, R., 2021. The tribunal atmosphere: On qualitative barriers to access to justice. *Geoforum*, 119, 61–71.
- Gillon, F., 2019. *Children's views and experiences of their participation in justice*. Centre for Youth and Criminal Justice.
- Gough, D., Oliver, S., and Thomas, J., 2017. *An introduction to systematic reviews*. Second edition. Los Angeles: SAGE.
- Grant, M.J. and Booth, A., 2009. A typology of reviews: an analysis of 14 review types and associated methodologies. *Health Information & Libraries Journal*, 26 (2), 91–108.
- Grey, R., 2023. "Catastrophic": A qualitative exploration of survivors experiences of expert instruction in private law child arrangements proceedings. *Journal of Social Welfare and Family Law*, 45 (4), 344–362.
- Grieshofer, T., 2024. *Legal-Lay Discourse and Procedural Justice in Family and County Courts*.
- Hamlyn, B., Coleman, E., Purdon, S., Purdon, B., and Sefton, M., 2015. *Civil Court User Survey Findings from a postal survey of individual claimants and profiling of business claimants*. London.
- Hanrahan, A., 2021. *Identifying, understanding, and responding to the multiple complex needs of court service users*. London.
- Harding, M. and Newnham, A., 2015. How do county courts share the care of children between parents?: Full report.
- Harding, R., Keeling, A., Bragman, P., Lee, A., and O'Connell, S., 2024. *Making Legal Services More Accessible*.
- Harrison, E., Lemmon, D., Ramanathan, D., and Clay, D., 2024. *HMCTS Reform Evaluation – Vulnerability Study A qualitative study of vulnerable individuals accessing justice and the impact of HMCTS Reform on their experiences*. London.
- Harrison, R., Jones, B., Gardner, P., and Lawton, R., 2021. Quality assessment with diverse studies (QuADS): an appraisal tool for methodological and reporting quality in systematic reviews of mixed- or multi-method studies. *BMC Health Services Research*, 21 (1), 144.

Harwin, J., Alrouh, B., Golding, L., McQuarrie, T., Broadhurst, K., and Cusworth, L., 2019. The contribution of supervision orders and special guardianship to children's lives and family justice. *Lancaster: Final report to the Nuffield Foundation*, Lancaster University.

Harwin, J., Alrouh, B., Ryan, M., and Tunnard, J., 2014. Changing Lifestyles, Keeping Children Safe: an evaluation of the first Family Drug and Alcohol Court (FDAOC) in care proceedings.

Heijden, J. van der, 2020. Why meta-research matters to regulation and governance scholarship: An illustrative evidence synthesis of responsive regulation research. *Regulation & Governance*, 15, S123–S142.

Hester, M., Williamson, E., Eisenstadt, N., Abrahams, H., Aghtaie, N., Bates, L., Gangoli, G., Robinson, A., Walker S, J., McCarthy, E., Matolcsi, A., and Mulvihill, N., 2025. What Is Justice? Perspectives of Victims-Survivors of Gender-Based Violence. *Violence Against Women*, 31 (2), 570–597.

Hine, B., Roy, E., Huang, C., and Bates, E., 2025. Fathers' Experiences of Negotiating Co-Parenting Arrangements and Family Court. *Social Sciences*, 14 (1).

HM Courts and Tribunals Service, 2023. *HMCTS Reform Evaluation: Rapid Evidence Assessments*.

HMCTS, 2023. *HMCTS opt out mediation evaluation*. London.

HMCTS, 2024. *Assessing Access to Justice in HMCTS Services - December 2024*. London.

HMCTS, 2025. *Immigration and Asylum Appeals Reformed Service: Evaluation Report*.

HMCTS, 2026. Children to get swifter justice as new family court approach expands nationally [online]. *GOV.UK*. Available from: <https://www.gov.uk/government/news/children-to-get-swifter-justice-as-new-family-court-approach-expands-nationally> [Accessed 13 Apr 2026].

Hodge, N. and Wolstenholme, C., 2016. 'I didn't stand a chance': how parents experience the exclusions appeal tribunal. *International Journal of Inclusive Education*, 20 (12), 1297–1309.

Holt, K. and Kelly, N., 2024. Time, public and personal space, safe and just systemic change: a symbiotic autoethnographic study of remote digital hearings within the English Family Courts between March 2020 and October 2023. *Journal of Social Welfare and Family Law*, 46 (4), 602–622.

Hong, Q.N., Fàbregues, S., Bartlett, G., Boardman, F., Cargo, M., Dagenais, P., Gagnon, M.-P., Griffiths, F., Nicolau, B., O' Cathain, A., Rousseau, M.-C., Vedel, I., and Pluye, P., 2018. The Mixed Methods Appraisal Tool (MMAT) version 2018 for information professionals and researchers. *Education for Information*, 34 (4), 285–291.

House of Commons Committee of Public Accounts, 2019. *Transforming Courts and Tribunals: progress review*. No. HC 27.

Hunter, G. and Campbell, N., 2026. "You're not to speak unless you're spoken to": parent voice in public law proceedings in England and Wales. *Journal of Social Welfare and Family Law*, 48 (1), 49–67.

Hunter, G., Thomas, M., and Campbell, N., 2024. *Lay Experiences of Public Law Childcare Proceedings, ICPR and Revolving Doors*. Research project.

Hunter, R. and Burton, M., 2025. Everyday Business: Addressing domestic abuse and continuing harm through a family court review and reporting mechanism.

Hunter, R., Burton, M., and Trinder, L., 2020. *Assessing Risk of Harm to Children and Parents in Private Law Children Cases*. London.

Hussein, R., 2023. Locked down? Speaking from the shadows and silence for survival. *Gender, Work and Organization*, 30 (1), 301–311.

Idris, S.H., Mat Jalaluddin, N.S., and Chang, L.W., 2023. Ethical and legal implications of gene editing in plant breeding: a systematic literature review. *Journal of Zhejiang University-SCIENCE B*, 24 (12), 1093–1105.

Independent Domestic Abuse Services, 2020. *Domestic Abuse & the Family Courts: A review of the experience and safeguarding of survivors of domestic abuse and their children in respect of family court proceedings*. North Yorkshire: North Yorkshire Police, Fire and Crime Commissioner.

Jacobson, J., 2020. Observed Realities of Participation. In: *Jacobson and Cooper, ed. Participation in Courts and Tribunals: Concepts, Realities and Aspirations*. Bristol University Press, 103–140.

Jacobson, J., Hunter, G., and Kirby, A., 2015. *Inside Crown Court: Personal Experiences and Questions of Legitimacy*. Policy Press.

Jacobson, J., Templeton, L., and Murray, A., 2026. 'I just felt we were shadows': scope and limits of participation by bereaved families in coroners' inquests in England and Wales. *Journal of Social Welfare and Family Law*, 48 (1), 30–48.

Jenks, C., Firth, A., and Trinder, L., 2012. When disputants dispute: Interactional aspects of arguments in family mediation sessions. *Text and Talk*, 32 (3), 307–327.

Jobling, H., 2019. The legal oversight of community treatment orders: A qualitative analysis of tribunal decision-making. *International Journal of Law and Psychiatry*, 62, 95–103.

Jones, D. and Tailor, E., 2024. *Civil Legal Aid User Research: Qualitative Research with Legal Aid Practitioners*. London.

Jones, F., Milner, T., Neale, N., and Powell, H., 2023. *Factors influencing users' decisions to bring cases to the civil and family courts A qualitative study of claimants and applicants*. London.

Jones, R., 2023. *Children and young people's experiences of participation in private proceedings in the family court*. Welsh Government, GSR Report No. 114/2023.

Judicial College, 2026. *Equal treatment bench book*. No. July 2024 (February 2026 update).

Kantar Public, 2018. *HM Courts & Tribunals Service Citizen User Experience Research*. London.

Kitzinger, C. and Kitzinger, J., 2016. Court applications for withdrawal of artificial nutrition and hydration from patients in a permanent vegetative state: Family experiences. *Journal of Medical Ethics*, 42 (1), 11–17.

Law for Life, 2014. *Meeting the information needs of litigants in person*.

Lawal, H.M., Shaw, L., Orr, N., Briscoe, S., Melendez-Torres, G.J., Garside, R., and Coon, J.T., 2025. Navigating the Criminal Justice System: A Systematic Review of Qualitative Evidence on the Experiences of Homicide Covictims. *Violence and Victims*, 40 (1), 156–176.

Leader, K., 2024. *Litigants in person in the civil justice system: in their own words*. Oxford ; New York: Hart Publishing.

Lee, R. and Tkacukova, T., 2017. *A study of litigants in person in Birmingham Civil Justice Centre*. Research project.

Macdonald, G., 2017. Hearing children's voices? Including children's perspectives on their experiences of domestic violence in welfare reports prepared for the English courts in private family law proceedings. *Child Abuse & Neglect*, 65, 1–13.

Macgregor, A., 2022. Meaningful participation or tokenism for individuals on community based compulsory treatment orders? Views and experiences of the mental health tribunal in Scotland. *Journal of Mental Health*, 31 (2), 158–165.

Mandin, P., 2017. Creating a space to think in adversarial contexts: researching network meetings in statutory childcare interventions. *Journal of Family Therapy*, 39 (3), 329–347.

Mant, J., 2022. *Litigants in Person and the Family Justice System*. London: Bloomsbury Publishing Plc.

McGhee, J. and Hunter, S., 2011. The Scottish children's hearings tribunals system: A better forum for parents with learning disabilities? *Journal of Social Welfare and Family Law*, 33 (3), 255–266.

McKeever, G., Royal-Dawson, L., Kirk, E., and McCord, J., 2018. *Litigants in Person in Northern Ireland: Barriers to Legal Participation-Summary Report*.

McLeod, R., Philpin, C., Sweeting, A., Joyce, L., and Evans, R., 2010. *Court experience of adults with mental health conditions, learning disabilities and limited mental capacity Report 5: Policy processes, services and practices*.

Ministry of Justice, 2014. *Civil Legal Advice mandatory gateway Review*. London.

Ministry of Justice, 2023. *Rental Mediation Service Pilot: Post Implementation Review*. London.

Moore, S. and Newbury, A., 2024. 'Pursuing family justice before, during, and after the COVID-19 pandemic: the changing role of Legal Companions and the new invisibility of unmet legal need. *Child and Family Law Quarterly*, 36 (2), 155–169.

Morgan, M., 2024. Place of poetry in employment tribunal: a place of healing. *Journal of Poetry Therapy*.

Mulcahy, L. and Tsalapatani, A., 2022. Exclusion in the interests of inclusion: who should stay offline in the emerging world of online justice? *Journal of Social Welfare and Family Law*, 44 (4), 455–476.

- Mulqueen, T. and Wintersteiger, L., 2025. *Understanding local legal needs: Early intervention and the ecosystem of legal support*.
- Nason, S., Sherlock, A., Pritchard, H., and Taylor, H., 2020. Public administration and a just Wales.
- National Audit Office, 2023. *Progress on the courts and tribunals reform programme*. No. HC 1130.
- Newman, D., Dehaghani, R., The Right Honourable Carwyn Jones, and Baron Thomas of Cwmgiedd, 2022. *Experiences of Criminal Justice*. 1st edn. Bristol University Press.
- NISRA Hub Research Team, 2022. *Remote and Hybrid Hearings A Qualitative Analysis*. Belfast.
- Nussbaumer-Streit, B., Booth, A., Garritty, C., Hamel, C., Munn, Z., Tricco, A.C., and Pollock, D., 2025. Overview of evidence synthesis types and modes. *Journal of Clinical Epidemiology*, 187, 111970.
- Pereira, I., Harvey, P., Dawes, W., and Greevy, H., 2014. *The role of court fees in affecting users' decisions to bring cases to the civil and family courts: a qualitative study of claimants and applicants*. London.
- Pereira, I., Perry, C., Greevy, H., and Shrimpton, H., 2015. *The Varying Paths to Justice Mapping problem resolution routes for users and non-users of the civil, administrative and family justice systems*. London.
- Pichlak, M., Kaleta, K.J., and Nawacka, A., 2025. Systematic Literature Review Method in Legal Research: Prospects and Challenges. *Law and Method*.
- Pleasence, P. and Balmer, N.J., 2014. *How people resolve 'legal' problems*. London: Legal Services Board.
- Pytlowana, A. and Kroese, B., 2021. How do Fathers With ID Experience Their Children Being Removed from Their Care Through the English Court System? *Journal of Policy and Practice in Intellectual Disabilities*, 18 (4), 313–323.
- Quinlan, A., 2024. Sexual Violence and Family Courts in England and Wales. *Journal of Social Welfare and Family Law*, 46 (4), 556–581.
- Resolution, 2024. *Domestic abuse in financial remedy proceedings*.
- Richardson, M., Newman, M., Berry, G., Stansfield, C., Coombe, A., and Hodgkinson, J., 2024. A systematic evidence map of intervention evaluations to reduce gang-related violence. *Journal of Experimental Criminology*, 20 (4), 1125–1146.
- Rodi, M.S., Zil, C., and Carey, S.M., 2018. *Best Practices in Treatment Court Evaluation*. *Federal Probation*, 82 (3), 21–27.
- Rose, E. and Busby, N., 2017. Power relations in employment disputes. *Journal of Law and Society*, 44 (4), 674–701.
- Rossner, M. and McCurdy, M., 2018. *Implementing Video hearings (Party-to-State): A Process Evaluation*. London.

- Ryan, M., Harker, L., and Sarah, R., 2020. *Remote hearings in the family justice system: a rapid consultation*. Nuffield Family Justice Observatory.
- Saied-Tessier, A., 2023. What we know about adults in private law proceedings: A summary of reviewed literature. *Nuffield Family Justice Observatory*.
- Sigafoos, J. and Organ, J., 2018. The impact of LASPO on routes to justice.
- Stansfield, C., Stokes, G., and Thomas, J., 2022. Applying machine classifiers to update searches: Analysis from two case studies. *Research Synthesis Methods*, 13 (1), 121–133.
- Summerfield, A. and Pehkonen, I., 2019. *The implementation and delivery of the family court settlement conferences pilot A process evaluation*. London.
- Tang (唐鑫), X., Zeng (曾子欣), Z., Huang (黄浩岩), H., and Symonds, J., 2025. Quality Appraisal Tools for Quantitative, Qualitative, and Mixed-Methods Studies: A Review and a Brief New Checklist. *ECNU Review of Education*, 20965311251371227.
- Thelwall, M. and Sud, P., 2022. Scopus 1900–2020: Growth in articles, abstracts, countries, fields, and journals. *Quantitative Science Studies*, 3 (1), 37–50.
- Thomas, J., Graziosi, S., Brunton, J., Ghouze, Z., O’Driscoll, P., Bond, M., and Koryakina, A., 2020. EPPI-Reviewer: advanced software for systematic reviews, maps and evidence synthesis. *EPPI-Centre Software*. London: UCL Social Research Institute.
- Thomas, J., Hair, K., and Noel-Storr, A., 2026. Responsible use of AI in Evidence Synthesis (RAISE 2026) 3: selecting and using AI evidence synthesis tools.
- Thomas, J., McDonald, S., Noel-Storr, A., Shemilt, I., Elliott, J., Mavergames, C., and Marshall, I.J., 2020. Machine learning reduced workload with minimal risk of missing studies: development and evaluation of an RCT classifier for Cochrane Reviews. *Journal of Clinical Epidemiology*.
- Tripney, J., Kwan, I., and Bird, K.S., 2013. Postabortion family planning counseling and services for women in low-income countries: a systematic review. *Contraception*, 87 (1), 17–25.

# 11 Appendices

## Appendix one: List of abbreviations

<b>ACAS</b>	Advisory, Conciliation and Arbitration Service
<b>ET</b>	Employment Tribunal
<b>FDAC</b>	Family Drug and Alcohol Courts
<b>HMCTS</b>	His Majesty’s Courts & Tribunals Service
<b>LASPO</b>	Legal Aid, Sentencing and Punishment of Offenders Act 2012
<b>LiP</b>	Litigant in Person
<b>MIAM</b>	Mediation Information and Assessment Meeting
<b>MMAT</b>	Mixed Methods Appraisal Tool
<b>MoJ</b>	Ministry of Justice
<b>SEND</b>	Special Educational Needs and Disabilities

## Appendix two: Example of database search

This is an example of a search conducted in International Bibliography of the Social Sciences (IBSS) database. The searches differed between the different databases as searches needed to be tailored because of the differences in substantive focus and diverse array of subject headings and filters.

Row number	International Bibliography of the Social Sciences (IBSS)
#1	TIAB (tribunal* OR “family court” OR “family courts” OR “justice system” OR “family justice” OR “court user” OR “legal professional” OR “court involved” OR defendant* OR survivor* OR litigant* OR mckenzie OR appellant*)
#2	TIAB (experience* OR understanding* OR perspective* OR perception* OR view* OR account* OR meaning* OR opinion* OR attitude* OR stories OR story OR narrative* OR voice* OR adjustment* OR barriers* OR support* OR challenge* OR wish* OR feeling* OR treat* OR expos*)
#3	location.exact(“United Kingdom--UK” OR “England” OR “Wales” OR “Scotland” OR “UK” OR “United Kingdom”)
#4	#1 and #2 and #3
#5	subt.exact(“health services” OR “patients” OR “health care”)
#6	#4 NOT #5
#7	yr(1990-2029)
#8	#6 AND #7

## Appendix three: Screening tools

### Screen on Title and Abstract

- **A. EXCLUDE Not Justice System (civil/criminal courts and tribunals not police, CPS, prisons or probation)**  
'Justice System' is defined as civil and criminal courts and tribunals and not directly including police, Crown Prosecution Service (CPS), prisons, and probation.
- **B. EXCLUDE Not investigating public user experience/Not an intervention**  
Study is not about one or more of the following: people's experiences and views of the UK Justice System; the drivers and causes of those experiences and views; the measures or interventions for improving user experiences, views, or outcomes. The focus is very much on people who have direct experience of 'using' the justice system in the UK (including children and adults). This may include victims, witnesses, litigants (people involved in legal disputes often used in the context of litigants in person which are people who attend court without legal representation), defendants (person/people who have a civil claim or criminal prosecution brought against them or accused (criminal); defenders in Scotland), appellants (person who brings and appeal), McKenzie Friend (non-lawyer helper), claimant (person who initiates a civil law claim in England and Wales; plaintiff in Northern Ireland; pursuer in Scotland), applicants (those who start proceedings). When study is an intervention evaluation, participants can be relevant workers.
- **C. EXCLUDE Study not conducted in the UK**  
Study not conducted in either England, Scotland, Northern Ireland, Wales.
- **D. EXCLUDE Not primary research**  
Must have some kind of methods and data.
- **E. EXCLUDE on date**  
The study report has a publication date before 1 January 1995.
- **F. INCLUDE on title & abstract**  
Include based on title and abstract. Need to retrieve full report for full text screening.

### Screen on Full Text

The screen on full text included the same coding tool as with the title and abstract, but also included a separate code for papers that were not retrievable (where we were unable to obtain a full text copy) and therefore not included.

### Screen for Synthesis

- **EXCLUDE on date** [before 2010]
- **EXCLUDE on Topic** [Not administrative, civil, or family]
- **INCLUDE** for data extraction
- **LINKED REPORT** [same study, different output]

## Appendix four: Literature map coding tool

*These are codes for use in the literature map*

### A. Court /Tribunal Type (tick all that apply)

- Civil Court
- Tribunal (state which)
- Criminal Court
- Family Court
- Youth Justice
- Unclear/ not stated
- Problem Solving Courts/Intensive supervision courts/prolific intensive scheme

### B. Which Court Users experience is being investigated/is the focus of the intervention?

*(tick all that apply) Use the researcher's description – whose experiences are featured in the study, who is participating and/or whose experience are they providing evidence about? When respondent is an adult not in any other category, or when it is an intervention that doesn't provide a specific user perspective use 'Unclear/not specified'.*

- Child/youth
- Parent (state which parent if relevant as free text)
- Users with special educational needs and disabilities (specify in free text)
- Users with Mental Health issues (include drugs/alcohol dependencies)
- Migrant/ refugee/ asylum seeker
- Other (please state)
- Unclear/ not specified

### C. Justice System Role where focus of study

*Use the researcher's description – in which role are the public users in in the experiences featured in the study, who is participating and/or whose experience are they providing evidence about ? Tick N/A where no particular justice system role is specified or when it is an intervention that doesn't provide a specific user perspective.*

- Victim/ survivor
- Suspect/ defendant/ offender/ respondent

- Witness
- Juror
- Appellant/Claimant/ Plaintiff/ Pursuer
- Professional/ Worker

*Use when study participants are professionals or workers in the justice system*

- Litigant in Person
- N/A
- Other (specify)

**D. Location** (tick all that apply)

- England
- Scotland
- Northern Ireland
- Wales
- UK Wide
- Unclear/not stated

**E. Study purpose**

- Study of the evaluation of an intervention in the Justice System
- User views experiences of the justice system
- Legal needs study
- Unclear/ not stated

**F. When was study carried out in relation to Covid 19 special measures**

- Prior to implementation of Covid 19 special measures -Before 2020
- During Covid special measures 2020 or 2021

- Post Covid special measures – 2022 and after
- Not stated/not clear

## Appendix five: Data extraction for synthesis coding tool

### A. Study background and aims

*Captures information on how the study was funding, who it was conducted by and its aims.*

#### 1. How was the study funded?

- UKRI (ESRC/AHRC)
- Nuffield Foundation
- Other UK charitable funder
- UK Government [MoJ, HMCTS etc]
- International funder
- Other [Specify]
- Unfunded study
- Unclear/Not Stated

#### 2. Who conducted the study?

- University Academics
- NGO or other charitable organisation
- Government conducted
- Corporate research/consultancy firm
- Other [Specify]
- Unclear/Not Stated

#### 3. Reporting of aims, rationale or research questions [state aims/rationale/research question, summarise where possible]

- Yes – aims/rationale is explicitly reported
- Yes – aims/rationale is implicitly reported
- No – Aims and rationale are unclear/not reported

## B. Methodology

### 1. Data collection method [multicode if required, add details]

- Interviews
- Focus Groups
- Observations
- Surveys
- Secondary data collection [Reuse of existing data, e.g. Decisions/ Documents/ Other – Specify]
- Other [Specify]

### 2. Is the method of data collection and form of data suitable/adequate to address the research questions?

- Yes, very suitable
- Yes, somewhat suitable
- No, not suitable

### 3. Have the authors included suitable details about the sampling strategy?

*Examples include whether they used a representative sample, purposive or convenience sampling, or details of sample size or demographic make up.*

- Yes [Specify]
- Partially [Specify]
- No [Specify]
- Not applicable [Specify]

### 4. Do the authors describe how the sample was identified and recruited?

- Yes [Specify]
- Partially [Specify]
- No [Specify]
- Not relevant [Specify]

**5. Is there an adequate description of the data analysis?**

- Yes, clear description of data analysis
- Yes, limited description of data analysis
- No, no or inadequate description of data analysis

**6. What is the type of analysis used?**

- Thematic
- Content [Quality or Quant]
- Narrative
- Discourse
- Grounded Theory
- Statistical analysis including descriptive and inferential
- Other [clarify]
- Unclear/Not Stated

**7. Does the research discuss study limitations, reliability, or validity?**

- Yes, clear discussion of limitations, reliability, or validity
- Yes, some discussion of limitations, reliability, or validity
- No discussion of limitations, reliability, or validity

**8. Have ethical issues been considered and/or has ethical approval been received?**

- Yes, there is a clear discussion of ethical issues/ethical approval [Specify]
- Yes, there is some discussion of ethics/a mention of having obtained ethical approval
- No, there is no mention of ethics/no confirmation of ethical approval

**9. Has the methodology been reported in enough detail?**

*Given the responses to the other various questions in this section, has the methodology been reported in enough detail. Do they include things like the tools used, how the analysis was conducted, who was it conducted by? ('Yes, clear methodology' suggests that enough details are provided that the study could be replicated off the details given). Give grounds as to how you have come to your decision.*

- Yes, clear description of methodology [Specify]
- Yes, limited but adequate description of methodology [Specify]
- No, no or inadequate description of methodology [Specify]

## **C. Sample and context**

### **1. Participant Category**

- Lay users
- Professional Proxy
- None of the above [e.g. observations, analysis of decisions]

### **2. Number of participants [include actual number in info]**

- 1-5
- 6-10
- 11-15
- 16-20
- 21-30
- 31-50
- 51-100
- 100-199
- 200 +
- Other [Specify]
- Unclear / not stated

### **3. Detailed Participant Type [Select all that apply]:**

- Child [clarify age range]
- Parent [Specify if only fathers or mothers]
- Domestic Violence Survivor
- Intellectual Disability/ Special Needs
- Immigrant /Asylum Seeker/Refugee
- Ethnic/Religious/Linguistic Minority
- LGBTQ+
- Mental Health Concerns other than addiction

- Addiction (Drugs/Alcohol)
- Other Disability
- Litigant in Person
- Experience of Criminal Justice System
- Experience of Care
- Poverty/Financial Difficulty
- Illiteracy/Low level of Education
- Other (specify)
- Unclear / not stated
- Professional: Interpreter
- Professional: Judge
- Professional: Legal Counsel (Barrister/Solicitor)
- Professional: Advice Sector
- Professional: Expert [Specify]
- Professional: Other

**4. What is the sex of the participants?**

- Single Sex, Women [Specify]
- Single Sex, Men [Specify]
- Mixed Sex [Specify]
- Not Stated/Not Clear

**5. Please state any other demographic information and/or indicate if findings are analysed by subgroup:**

- Details:  
*Select if there are additional details on the sample/structure of findings, then specify what these details are.*

**6. Which UK location is the sample drawn from?**

- England [add city/town/county/other description]
- Wales [add city/town/county/other description]

- Scotland [add city/town/county/other description]
- Northern Ireland [add city/town/county/other description]
- UK general [add city/town/county/other description]
- Unclear/not stated

**7. Court or Tribunal experience considered [Select all that apply]**

- UK wide courts
  - UK Supreme Court
- Courts in England and Wales
  - Court of Appeal
    - Civil Division
    - Criminal Division
  - High Court of England and Wales
    - Kings Bench Division
    - Chancery Division
    - Family Division
    - Coroner's Court
  - The Crown Court
  - The County Court
  - The Court of Protection
  - The Family Court
  - The Magistrates Court
- Tribunals in England and Wales
  - Upper Tribunals
    - Administrative Appeals Chamber
    - Tax and Chancery Chamber
    - Immigration and Asylum Chamber

- Lands Chamber
- First Tier Tribunals
  - War, Pensions, and Armed Forces Chamber
  - General Regulatory Chamber
  - Tax Chamber
  - Social Entitlement Chamber
    - Social Security and Child Support
  - Health, Education and Social Care Chamber
    - SEND
    - Mental Health Tribunal
  - Immigration and Asylum Chamber
  - Property Chamber
- Employment Appeal Tribunal
- Employment Tribunals (England and Wales)
- Courts/Tribunals in Scotland
  - The Supreme Courts (Court of Secession/High Court of the Judiciary)
  - Sheriff Appeal Court
  - Justice of the Peace Courts
  - Sheriff Courts
  - Sheriff Personal Injury Courts
  - Scottish Land Courts
  - Court of Lord Lyon
  - Scottish Upper Tier Tribunals
  - Scottish First Tier Tribunals
  - Employment Tribunals (Scotland – managed by HMCTS)
- Courts/Tribunals in Northern Ireland

- The Court of Judicature
- Court of Appeal
- High Court
- County Courts
- Magistrates' Courts
- Coroner's Courts
- Upper Tier Tribunals (NI)
- First Tier Tribunals (NI)
- Other [name of court tribunal not adequately clarified; other, please specify]

**8. Are there any other details regarding the context that are important but not captured above?**

- Details:

**D. Intervention [Only fill if intervention study, otherwise leave blank]**

**1. Does the intervention have a formal name? If yes, add details.**

- Yes [Add name]
- No [Add description of intervention, including what the intervention intends to achieve]

**2. Who was this intervention funded by?**

- Details:

**3. When was this intervention first introduced?**

- Details:

**4. Where was this intervention first implemented?**

- Details:

**5. Are there additional details that are not captured above?**

- Details:

## E. Findings

### 1. Relevance of the study to views/ experiences review question:

*High relevance is for papers where the majority of the paper directly addresses this RQ. Medium relevance is where a section of the paper directly addresses the research questions. Low relevance is where there is only a small section of the paper responds to the RQ or where the findings are only tangentially relevant to the RQ. No relevance is where a paper adds almost nothing to an understanding of the RQ.*

- High relevance
- Medium Relevance
- Low relevance
- Not relevant

### 2. Relevance to research question on interventions to improve experience:

*High relevance is for papers where the majority of the paper directly addresses this RQ. Medium relevance is where a section of the paper directly addresses the research questions. Low relevance is where there is only a small section of the paper responds to the RQ or where the findings are only tangentially relevant to the RQ. No relevance is where a paper adds almost nothing to an understanding of the RQ.*

- High relevance
- Medium relevance
- Low relevance
- Not relevant

### 3. Reported findings on views and experiences

- Details:

### 4. Factors that shape those experiences

- Enablers
- Barriers 5. Does this research offer recommendations of how to improve lay user views or experience:
- Details:

### 6. Reported findings/outcomes of the intervention:

- Details:

## 7. Has the data been used to justify conclusions?

- Yes, the conclusions have clearly emerged from the data
- Yes, there are some connections between the conclusions and the data
- No, data has not been used to justify conclusions

## Appendix six: Studies included in synthesis

Alessi, E.J., Alexander, L., Lee, Y.G., Fletcher, C., Aziz, A., Zadeh, L. (2025) How Do Legal Aid Cuts in England and Wales Impact LGBTQ+ People Seeking Asylum? Perspectives from Providers and Directly Affected People. *Sexuality Research & Social Policy* 22 (2), 787–802.

Baginsky M; Hickman B; Manthorpe J; (2024) Post-Proceedings Support in a Family Drug and Alcohol Court. *British Journal of Social Work* 54 (6), 2336–2357.

Bailey S; Thoburn J; Timms J; (2011) Your shout too! Children’s views of the arrangements made and services provided when courts adjudicate in private law disputes. *Journal of Social Welfare and Family Law* 33 (2), 123–138.

Barnard C., Ludlow A; (2016) Enforcement of employment rights by EU-8 migrant workers in employment tribunals. *Industrial Law Journal* 45 (1), 1–27.

Barnard C., Ludlow A; (2022) Administrative (In) justice? Appellants’ Experiences of Accessing Justice in Social Security Tribunals. *Public Law* 2022 (3), 406–426.

Barry KA (2017) Access to Justice and Civil Legal Aid Reform: A Socio-Legal Analysis of the Experiences of Litigants in Person in the Family and Civil Courts. Unpublished thesis. University of Liverpool.

Beckett C., Dickens J; (2014) Delay and Anxiety in Care Proceedings: Grounds for Hope? *Journal of Social Work Practice* 28 (3), 371–382.

Birchall J., Choudhry S; (2018) “What about my right not to be abused?” Domestic Abuse, Human Rights and the Family Courts. Bristol: Women’s Aid Federation of England.

Blackham A (2021) Enforcing rights in employment tribunals: Insights from age discrimination claims in a new ‘dataset’. *Legal Studies* 41 (3), 390–409.

Blakey R (2024) Assessing the availability of legal support through the ‘Help with family Mediation’ legal aid scheme. *Journal of Social Welfare and Family Law* 46 (1), 82–103.

Boon A; Urwin P; Karuk V; (2011) What difference does it make? Facilitative judicial mediation of discrimination cases in employment tribunals. *Industrial Law Journal* 40 (1), 45–81.

Boyle K; Camps D; English K; Ferrie J; (2022) *The Practitioner Perspective on Access to Justice for Social Rights: Addressing the Accountability Gap*. London: Nuffield Foundation.

Broadhurst K; Mason C; Bedston S; Alrouh B; Morriss L; McQuarrie T; Palmer M; Shaw M; Harwin J; Kershaw S; (2017) *Vulnerable Birth Mothers and Recurrent Care Proceedings*. London: Nuffield Foundation.

Broadhurst K; Mason C; Ward H; (2022) Urgent Care Proceedings for New-born Babies in England and Wales - Time for a Fundamental Review. *International Journal of Law and Policy and the Family* 36 (1), 1–31.

Brown SJ; Craig LA; Crookes R; Summerfield A; Corbett NA; Lackenby J; Bowen E; (2015) *The use of experts in family law Understanding the processes for commissioning experts and the contribution they make to the family court*. London: Ministry of Justice.

Burton M., Hunter R (2025) *Everyday Business: Addressing domestic abuse and continuing harm through a family court review and reporting mechanism*. London: Domestic Abuse Commissioner.

Busby N., McDermont M (2012) Workers, Marginalised Voices and the Employment Tribunal System: Some preliminary findings. *Industrial Law Journal* 41 (2), 166–183.

Busby N., McDermont A (2020) Fighting with the wind: Claimants' experiences and perceptions of the employment tribunal. *Industrial Law Journal* 49 (2), 159–198.

Cox P; Barratt C; Blumenfeld F; Rahemtulla Z; Taggart D; Turton J; (2017) Reducing recurrent care proceedings: initial evidence from new interventions. *Journal of Social Welfare and Family Law* 39 (3), 332–349.

Coyne M; Scott E; Tweedale R; Perks K; (2015) 'It's like going through the abuse again': Domestic violence and women and children's (UN)safety in private law contact proceedings. *Journal of Social Welfare and Family Law* 37 (1), 53–69.

Creutzfeldt N., Kyprianides A; Bancroft H; Bradford B; Jackson J; (2023) *How has the pandemic changed the way people access justice? Digitalisation and reform in the areas of housing and SEND*. London: Nuffield Foundation.

Cullen MA., Cullen S; (2021) Young people's right to appeal to the English First-tier Tribunal (Special Educational Needs and Disability): learning from the first two years. *Journal of Social Welfare and Family Law* 43 (1), 60–80.

Dalgarno E; Bramwell D; Verma A; Ayeb-Karlsson S; (2024) 'Let's excuse abusive men from abusing and enable sexual abuse': child sexual abuse investigations in England's private family courts. *Journal of Social Welfare and Family Law* 46 (3), 345–365.

Dalgarno E; Ayeb-Karlsson S; Bramwell D; Barnett A; Verma A; (2024) Health-related experiences of family court and domestic abuse in England: A looming public health crisis. *Journal of Family Trauma and Child Custody and Child Development* 21 (3), 277–305.

- Dempster T; Spruin L; Mozova K; (2024) Facility dogs in UK courtrooms: Public perspective. *Journal of Forensic Psychology Research and Practice* 24 (3), 314–337.
- Dickens J and Masson J; Young J; Bader K; (2015) The paradox of parental participation and legal representation in ‘edge of care’ meetings. *Child and Family Social Work* 20 (3), 267–276.
- Domestic Abuse Commissioner (2023) *The Family Court and domestic abuse: achieving cultural change*. London: Domestic Abuse Commissioner.
- Doughty J; Meakings S; Shelton K; (2017) The legal and administrative processes in adoption: views and experiences of newly formed adoptive families. *Journal of Social Welfare and Family Law* 39 (4), 473–490.
- Eades W (2024) *Using personalised legal support tools to help benefits claimants challenge decisions*. London: Advicenow.
- Emerson L and Lloyd K; Lundy L; Orr K; Weaver E; (2015) *The Legal Needs of Children and Young People in Northern Ireland: The views of young people and adult stakeholders*. Belfast: Queen’s University Belfast.
- Family Rights Group (2018) *Care Crisis Review: Options for Change*. London: Family Rights Group.
- Frontier Economics and IFF research; Ministry of Justice; (2025) *HMCTS Reform Digital Services Evaluation Overarching Report*. London: Ministry of Justice,
- George R and Gallwey A; Bader K; (2016) How do parents experience relocation disputes in the family courts? *Journal of Social Welfare and Family Law* 38 (4), 394–412.
- George R and Crane L; Bingham A; Pophale C; Remington A; (2018) Legal professionals’ knowledge and experience of autistic adults in the family justice system. *Journal of Social Welfare and Family Law* 40 (1), 78–97.
- George R and Crane L; Remington A; (2020) ‘Our normal is different’: autistic adults’ experiences of the family courts. *Journal of Social Welfare and Family Law* 42 (2), 204–220.
- Ghauri N (2023) Domestic Abuse: The Dichotomy of Choosing between Informal and Formal Forum for Mediation, Arbitration and Justice. In: S. Bano, ed. *The Sharia Inquiry, Religious Practice and Muslim Family Law in Britain*. Abingdon: Taylor and Francis, 78–94.
- Gill N and Allsopp J; Burrridge A; Fisher D; Griffiths M; Paszkiewicz N; Rotter R; (2021) The tribunal atmosphere: On qualitative barriers to access to justice. *Geoforum* 119, 61–71.
- Grey R (2023) “Catastrophic”: A qualitative exploration of survivors experiences of expert instruction in private law child arrangements proceedings. *Journal of Social Welfare and Family Law* 45 (4), 344–362.
- Grieshofer T (2022) Lay Advisers in Family law Settings: The Role and Quality of Advice Provided on Social media. *Social & Legal Studies* 31 (6), 941–960.

Grieshofer T (2023) Reimagining communication and elicitation strategies in private family proceedings. *Journal of Social Welfare and Family Law* 45 (1), 41–61.

Grieshofer T (2024) *Legal-Lay Discourse and Procedural Justice in Family and County Courts*. Cambridge: Cambridge University Press.

Hamlyn B and Coleman E; Purdon S; Purdon B; Sefton M; (2015) *Civil Court User Survey Findings from a postal survey of individual claimants and profiling of business claimants*. London: Ministry of Justice.

Hanrahan A (2021) *Identifying, understanding, and responding to the multiple complex needs of court service users*. London: HMCTS.

Harding M and Newnham A; (2015) *How do county courts share the care of the children between parents?* London: Nuffield Foundation.

Harding R and Keeling A; Bragman P; Lee A; O’Connell S; (2024) *Making Legal Services More Accessible - the COALITION Project Report*. Birmingham: University of Birmingham.

Harrison E and Lemmon D; Ramanathan D; Clay D; (2024) *HMCTS Reform Evaluation – Vulnerability Study A qualitative study of vulnerable individuals accessing justice and the impact of HMCTS Reform on their experiences*. London: Ministry of Justice.

Harwin J and Alrouh B; Ryan M; Tunnard J; (2014) *Changing Lifestyles, Keeping Children Safe: an evaluation of the first Family Drug and Alcohol Court (FDAC) in care proceedings*. London: Brunel University.

Harwin J and Alrouh B; Golding L; McQuarrie T; Broadhurst K; Cusworth L; (2019) *The contribution of supervision orders and special guardianship to children’s lives and family justice*. Lancaster: Lancaster University.

Hester M and Williamson E; Eisenstadt N; Abrahams H; Aghtaie N; Bates L; Gangoli G; Robinson A; Walker SJ; McCarthy E; Matolcsi A; Mulvihill N; (2025) What Is Justice? Perspectives of Victims-Survivors of Gender-Based Violence. *Violence Against Women* 31 (2), 570–597.

Hine B and Roy EM; Huang CY; Bates E; (2025) Fathers’ Experiences of Negotiating Co-Parenting Arrangements and Family Court. *Social Sciences* 14 (1), 1–18.

HMCTS (2023) *HMCTS opt out mediation evaluation*. London: HMCTS.

HMCTS (2024) *Assessing Access to Justice in HMCTS Services - December 2024*. London: HMCTS.

HMCTS (2025) *Immigration and Asylum Appeals Reformed Service: Evaluation Report*. London: HMCTS.

Hodge N and Wolstenholme C; (2016) ‘I didn’t stand a chance’: how parents experience the exclusions appeal tribunal. *International Journal of Inclusive Education* 20 (12), 1297–1309.

- Holt K and Kelly N; (2024) Time, public and personal space, safe and just systemic change: a symbiotic autoethnographic study of remote digital hearings within the English Family Courts between March 2020 and October 2023. *Journal of Social Welfare and Family Law* 46 (4), 602–622.
- Hunter R and Burton M; Trinder L; (2020) *Assessing Risk of Harm to Children and Parents in Private Law Children Cases*. London: Ministry of Justice.
- Hunter G and Thomas M; Campbell N; (2024) *Experiences of Public Law Care Proceedings: A briefing on interviews with parents and special guardians*. London: Revolving Doors.
- Hussein RP (2023) Locked down? Speaking from the shadows and silence for survival. *Gender and Work and Organization* 30 (1), 301–311.
- Independent Domestic Abuse Services (2020) *Domestic Abuse & the Family Courts: A review of the experience and safeguarding of survivors of domestic abuse and their children in respect of family court proceedings*. North Yorkshire: North Yorkshire Police, Fire and Crime Commissioner.
- Jacobson J (2020) *Participation in Courts and Tribunals: Concepts, Realities and Aspirations*. Bristol: Bristol University Press.
- Jacobson J and Murray A; Rumble H; Templeton L. (2024). Coronial investigations: Past deaths and future lives. In: Trabsky M and Jones I, ed., *The Routledge Handbook of Death and Law*. London: Routledge.
- Jenks C and Firth A; Trinder L; (2012) When disputants dispute: Interactional aspects of arguments in family mediation sessions. *Text and Talk* 32 (3), 307–327.
- Jobling H (2019) The legal oversight of community treatment orders: A qualitative analysis of tribunal decision-making. *International Journal of Law and Psychiatry* 62, 95–103.
- Jones R (2023) *Children and young people’s experiences of participation in private proceedings in the family courts*. Cardiff: Welsh Government.
- Jones F and Milner T; Neale N; Powell H; (2023) *Factors influencing users’ decisions to bring cases to the civil and family courts A qualitative study of claimants and applicants*. London: Ministry of Justice.
- Jones D and Tailor E; (2024) *Civil Legal Aid User Research: Qualitative Research with Legal Aid Practitioners*. London: Ministry of Justice.
- Kantar Public (2018) *HM Courts & Tribunals Service Citizen User Experience Research*. London: Ministry of Justice.
- Kitzinger C and Kitzinger J; (2016) Court applications for withdrawal of artificial nutrition and hydration from patients in a permanent vegetative state: Family experiences. *Journal of Medical Ethics* 42 (1), 11–17.
- Law for Life (2014) *Meeting the information needs of litigants in person*. London: Advicenow.
- Law for Life (2020) *Multimedia Toolkit for Roma Parents - Project Evaluation Report*. London: Advicenow.

Leader K (2024) *Litigants in Person in the Civil Justice System: In Their Own Words*. Oxford: Hart Publishing.

Lee R and Tkacukova T; (2017) *A study of litigants in person in Birmingham Civil Justice Centre*. Birmingham: University of Birmingham.

Macdonald GS (2017) Hearing children's voices? Including children's perspectives on their experiences of domestic violence in welfare reports prepared for the English courts in private family law proceedings. *Child Abuse & Neglect* 65, 1–13.

Macgregor A (2022) Meaningful participation or tokenism for individuals on community based compulsory treatment orders? Views and experiences of the mental health tribunal in Scotland. *Journal of Mental Health* 31 (2), 158–165.

Mandin P (2017) Creating a space to think in adversarial contexts: researching network meetings in statutory childcare interventions. *Journal of Family Therapy* 39 (3), 329–347

Mant J (2022) *Litigants in person and the family justice system*. Oxford: Hart Publishing.

McGhee J and Hunter S; (2011) The Scottish children's hearings tribunals system: A better forum for parents with learning disabilities? *Journal of Social Welfare and Family Law* 33 (3), 255–266.

McKeever G and Royal-Dawson L; Kirk E; McCord J; (2018) *Litigants in Person in Northern Ireland: Barriers to Legal Participation-Summary Report*. Belfast: Ulster University.

McLeod R and Philpin C; Sweeting A; Joyce L; Evans R; (2010) *Court experience of adults with mental health conditions, learning disabilities and limited mental capacity Report 1: Overview and recommendations*. London: Ministry of Justice.

Ministry of Justice (2014) *Civil Legal Advice mandatory gateway Review*. London: Ministry of Justice.

Ministry of Justice (2023) *Rental Mediation Service Pilot: Post Implementation Review*. London: Ministry of Justice.

Moore S and Newbury A; (2024) 'Pursuing family justice before, during, and after the COVID-19 pandemic: the changing role of Legal Companions and the new invisibility of unmet legal need. *Child and Family Law Quarterly* 36 (2), 155–169

Morgan M (2024) Place of poetry in employment tribunal: a place of healing. *Journal of Poetry Therapy*, 1–10.

Mulqueen T and Wintersteiger L; (2025) *Understanding Local Legal Needs: Early Intervention and the Ecosystem of Legal Support*. London: Advicenow.

Munro N (2014) Taking wishes and feelings seriously: The views of people lacking capacity in Court of Protection decision-making. *Journal of Social Welfare and Family Law* 36 (1), 59–75.

Nason S and Sherlock A; Pritchard H; Taylor H; (2020) *Public Administration and a Just Wales*. Bangor: Prifysgol Bangor University.

NISRA Hub Research Team (2022) *Remote and Hybrid Hearings A Qualitative Analysis*. Belfast: NISRA.

Nixon C and Deacon K; James A; Waugh C; McGarrol S; (2024) Virtual hearings and their impact on children's participation in decisions about their care and protection. In: T. Disney and L. Grimshaw, eds. *Care and Coronavirus: Perspectives on Childhood, Youth and Family*. Leeds: Emerald Group Publishing Ltd, 191–208.

O'Nions H (2022) Navigating the Intersection of Scepticism, Gender Blindness, and Ethnocentricity in the Asylum Tribunal: The Urgent Case for Empathy Enhancement. *Refugee Survey Quarterly* 41 (3), 498–528.

Organ J; Sigafoos J; (2018) *The impact of LASPO on routes to justice*. Manchester: Equality and Human Rights Commission.

Ormston R; Busby N; Mair J; Reid D; Diaz A; Millar C; (2023) *Civil Justice System's Pandemic Response*. Edinburgh: Scottish Government.

Pereira I and Harvey P; Dawes W; Greevy H; (2014) *The role of court fees in affecting users' decisions to bring cases to the civil and family courts: a qualitative study of claimants and applicants*. London: Ministry of Justice.

Pereira I and Perry C; Greevy H; Shrimpton H; (2015) *The Varying Paths to Justice Mapping problem resolution routes for users and non-users of the civil, administrative and family justice systems*. London: Ministry of Justice.

Philip G and Bedston S; Youansamouth L; Clifton J; Broadhurst K; Brandon M; Hu Y; (2021) *'Up Against It: Understanding Fathers' Repeat Appearance in Local Authority Care Proceedings*. London: Nuffield Foundation.

Preston-Shoot M and Cornish S; (2014) Paternalism or proportionality? Experiences and outcomes of the Adult Support and Protection (Scotland) Act 2007. *The Journal of Adult Protection* 16 (1), 5–16.

Pytlowana A and Kroese BS; (2021) How do Fathers with ID Experience Their Children Being Removed from Their Care Through the English Court System? *Journal of Policy and Practice in Intellectual Disabilities* 18 (4), 313–323.

Quinlan AR (2024) Sexual Violence and Family Courts in England and Wales. *Journal of Social Welfare and Family Law* 46 (4), 556–581.

Resolution (2024) *Domestic Abuse in Financial Remedy Proceedings*. London: Resolution.

Rose E and Busby N; (2017) Power Relations in Employment Disputes. *Journal of Law and Society* 44 (4), 674–701.

Rossner M and McCurdy M; (2018) *Implementing Video hearings (Party-to-State): A Process Evaluation*. London: Ministry of Justice.

Ryan M and Harker L; Rothera S; (2020) *Remote hearings in the family justice system: reflections and experiences: follow-up consultation*. London: Nuffield Family Justice Observatory.

- SafeLives (2021) *Understanding Court Support for Victims of Domestic Abuse*. London: SafeLives.
- Shepherd D (2021) DIY Fraud Investigation and Access to Justice: A Case Study. *Policing* 15 (4), 2165–2177.
- Simpson E and Dresner J; (2024) *Civil Legal Aid User Research: Qualitative Research with Service Users and Trusted Intermediaries*. London: Ministry of Justice.
- Speed A (2022) Domestic abuse and the provision of advocacy services: mapping support for victims in family proceedings in England and Wales. *Journal of Social Welfare and Family Law* 44 (3), 347–368.
- Speed A and Richardson K; (2022) ‘Should I Stay or Should I Go Now? If I Go There will be Trouble and if I Stay it will be Double’: An Examination into the Present and Future of Protective Orders Regulating the Family Home in England and Wales. *Journal of Criminal Law* 86 (3), 179–205.
- Staines J and Stone B; Roy J; Masson J; Macdonald G; Garside L; Hodges H; (2023) *The Discharge of Care Orders: A Study of England and Wales*. Bristol: University of Bristol.
- Summerfield A and Pehkonen I; (2019) *The implementation and delivery of the family court settlement conferences pilot. A process evaluation*. London: Ministry of Justice.
- Symonds J and Dermott E; Hitchings E; Staples E; Ottaway H; (2022) *Separating families: Experiences of separation and support*. London: Nuffield Family Justice Observatory.
- Thomas R and Tomlinson J; (2021) *Immigration Judicial Reviews: An Empirical Study*. London: Palgrave Macmillan Ltd.
- Thompson, L. (2018) *Impossible expectations? A study of abused mothers in the child protection system*. Unpublished thesis. University of Kent.
- Trinder L and Firth A; Jenks C; (2010) ‘So presumably things have moved on since then?’ the management of risk allegations in child contact dispute resolution. *International Journal of Law and Policy and the Family* 24 (1), 29–53.
- Trinder L and Hunter R; Hitchings E; Miles J; Moorhead R; Smith L; Sefton M; Hinchly V; Bader K; Pearce J; (2014) *Litigants in person in private family law cases*. London: Ministry of Justice.
- Trinder L and Braybrook D; Bryson C; Coleman L; Houlston C; Sefton M; (2017) *Finding Fault? Divorce Law and Practice in England and Wales*. London: Nuffield Foundation.
- Welbourne P and MacDonald P; Bates P; (2017) *Getting it right in time: parents who lack litigation capacity in care proceedings*. London: Nuffield Foundation.

## Appendix seven: Linked reports

These reports are additional documents that describe one of the included studies listed in Appendix Five.

Barry KA (2020) The barriers to effective access to justice encountered by litigants in person in private family matters post-LASPO. *Journal of Social Welfare and Family Law* 42 (4), 416–440.

Barry KA. (2022). Litigants in person and procedural justice in the family courts: A matter of respect and trust. *Child and Family Law Quarterly*, 34(2), pp.297–318.

Bedston S and Philip G; Youansamouth L; Clifton J; Broadhurst K; Brandon M; Hu Y. (2019). Linked lives: Gender, family relations and recurrent care proceedings in England. *Children and Youth Services Review*, 105, pp.1–13.

Birchall J and Choudhry S. (2022). ‘I was punished for telling the truth’: how allegations of parental alienation are used to silence, sideline and disempower survivors of domestic abuse in family law proceedings. *Journal of Gender-Based Violence*, 6(1), pp.115–131.

Boyle, K., Camps, D., English, K.K., Ferrie, J.E., Flegg, A., Mukherjee, G. (2025). *Access to Social Justice Effective Remedies for Social Rights*. Bristol: Bristol University Press.

Busby N. (2016). The costs of justice: Barriers and challenges to accessing the employment tribunal system. In: Kirwan S, ed., *Advising in Austerity: Reflections on Challenging Times for Advice Agencies*. Bristol: Policy Press, pp.79–89.

Choudhry S. (2019). When Women’s Rights are Not Human Rights – the Non- Performativity of the Human Rights of Victims of Domestic Abuse within English Family Law. *Modern Law Review*, 82(6), pp.1072–1106.

Dickens J and Masson J. (2016). The Courts and Child Protection Social Work in England: Tail Wags Dog? *British Journal of Social Work*, 46(2), pp.355–371.

Eades W. (2024). Legal support for litigants in person Affordable Advice research report. London: Advicenow.

Harwin J and Alrouh B; Broadhurst K; McQuarrie T; Golding L; Ryan M;. (2018). Child and parent outcomes in the London family drug and Alcohol court five years on: Building on international evidence. *International Journal of Law and Policy and the Family*, 32(2), pp.140–169.

HMCTS. (2023). *Assessing Access to Justice in HMCTS Services - November 2023*. London: HMCTS.

Hunter G and Campbell N. (2026). “You’re not to speak unless you’re spoken to”: Parent voice in public law proceedings in England and Wales. *Journal of Social Welfare and Family Law*, 48(1), pp.49–67.

Jacobson J and Cooper P. (2020). *Participation in Courts and Tribunals: Concepts, Realities and Aspirations*. Bristol: Bristol University Press.

Jacobson J and Templeton L; Murray A; (2026) "I just felt we were shadows": Scope and limits of participation by bereaved families in coroners' inquests in England and Wales. *Journal of Family and Social Welfare Law* 48 (1), 30–48.

Kirk E. (2018). The 'Problem' with the Employment Tribunal System: Reform, Rhetoric and Realities for the Clients of Citizens' Advice Bureaux. *Work and Employment and Society*, 32(6), pp.975–991.

McDermont M and Kirwan S; Sales A. (2016). Poverty, social exclusion and the denial of rights to a fair hearing: A case study of employment disputes. *Journal of Poverty and Social Justice*, 24(1), pp.21–35.

McLeod R and Philpin C; Sweeting A; Joyce L; Evans R. (2010). Court experience of adults with mental health conditions, learning disabilities and limited mental capacity Report 2: Before court. London: Ministry of Justice.

McLeod R and Philpin C; Sweeting A; Joyce L; Evans R. (2010). Court experience of adults with mental health conditions, learning disabilities and limited mental capacity Report 3: At court. London: Ministry of Justice.

McLeod R and Philpin C; Sweeting A; Joyce L; Evans R. (2010). Court experience of adults with mental health conditions, learning disabilities and limited mental capacity Report 4: After court. London: Ministry of Justice.

McLeod R and Philpin C; Sweeting A; Joyce L; Evans R. (2010). Court experience of adults with mental health conditions, learning disabilities and limited mental capacity Report 5: Policy processes, services and practices. London: Ministry of Justice.

McLeod R and Philpin C; Sweeting A; Joyce L; Evans R. (2010). Court experience of adults with mental health conditions, learning disabilities and limited mental capacity Report 6: Technical report. London: Ministry of Justice.

Philip G and Youansamouth L; Bedston S; Broadhurst K; Hu Y; Clifton J; Brandon M. (2020). "I had no hope, I had no help at all": Insights from a first study of fathers and recurrent care proceedings. *Societies*, 10(4), pp.1–16.

Philip G and Youansamouth L; Broadhurst K; Clifton J; Bedston S; Hu Y; Brandon M. (2024). 'When they were taken it is like grieving': Understanding and responding to the emotional impact of repeat care proceedings on fathers. *Child and Family Social Work*, 29(1), pp.185–194.

Roy J and Staines J; Stone B; Macdonald G. (2024). Discharging Care Orders in England and Wales: A New Typology of Applications and Outcomes. *British Journal of Social Work*, 54(7), pp.3096–3115.

Roy J and Staines J; Stone B. (2024). 'Is it a positive or a negative?' Children's participation in discharge of care order proceedings. *European Journal of Social Work*, 28(4), pp.743–756.

Staines J and Stone B; Roy J; Macdonald G. (2024). Factors influencing the out- comes of discharge of care order proceedings: An examination of national data, children's e-records and professional interviews. *Child & Family Social Work*, 29, pp.1034–1043.

Tkacukova T. (2020). Changing Landscape of Advice Provision: Online Forums and Social Media Run by McKenzie Friends. *Child and Family Law Quarterly*, 4, pp.397–420.

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