

By Email: FOH.enquiries@justice.gov.uk

10 December 2018

Dear Sirs

Flexible Operating Hours Pilot

We write further to the Ministry of Justice's announcement that the proposed Flexible Operating Hours pilot will commence in Spring 2019 in Brentford and Manchester (civil and family courts).

By way of background, the [Junior Lawyers Division](#) ("JLD") of the Law Society of England and Wales represents junior lawyers, from Legal Practice Course students up to solicitors who are five years' post-qualification. At present the JLD represents in excess of 70,000 junior lawyers in England and Wales.

In December 2017, the JLD responded to the HMCTS Flexible Operating Hours Pilots prospectus in which we raised our concerns that the current proposals would adversely impact junior lawyers. In summary, our main concerns, particularly for junior lawyers, were:

1. the proposals would result in increased workloads;
2. the proposals would result in longer working hours; and
3. the proposals would adversely affect equality and diversity, particularly impacting those with childcare responsibilities and disabilities.

Our response can be found [here](#).

We understand that, during the pilot, court sessions at Brentford County Court will take place between 8:00 am until 7:00 pm and at Manchester Civil Justice Centre between 8:00 am and 7:00 pm.

Whilst we are pleased to see that it has been confirmed that the criminal courts will not be included, we note that the new pilot proposals do not alleviate our main concerns as set out above.

Further, the type of hearings which form part of the pilot i.e. small claims, inter-applications, possession work, first direction hearings, infant approval hearings etc. (not exhaustive) are typically areas of work undertaken by the junior end of the profession and as such our concerns still stand.

We accept that no decisions have been made to roll out Flexible Operating Hours after the pilot and we are pleased that the Ministry of Justice will be undertaking impact assessments and evaluating the pilot in the first instance. The JLD is keen to be involved in this and we welcome the opportunity to provide input.

The professional body for solicitors



The JLD is also raising this issue with The Law Society as we understand that the Law Society sits on the Evaluation Advisory Group through which they will review the framework in advance of the pilot.

Please provide us with information as to how we can be involved with the assessments and evaluation stage of the pilot.

Your sincerely

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