

# Reminder texts to defendants

A semi-automated process to send a text message reminder the day before a first hearing to all defendants with the aim to reduce demand in frontline policing and the wider criminal justice process.

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## Key details

|                                    |  |
|------------------------------------|--|
| <b>Stage of practice</b>           | Evaluated locally  |
| <b>Purpose</b>                     | Prevention   |
| <b>Topic</b>                       | Criminal justice<br>Offender management<br>Productivity                                  |
| <b>Organisation</b>                | <a href="#">Hertfordshire Constabulary</a>   |
| <b>HMICFRS identified practice</b> | <a href="#">Police performance: Getting a grip. HMICFRS PEEL spotlight report (2023)</a> |
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| <b>Region</b>                      | Eastern  |
| <b>Partners</b>                    | Police<br>Criminal justice (includes prisons, probation services)                        |

## Key details

|                                |                              |
|--------------------------------|------------------------------|
| <b>Stage of implementation</b> | The practice is implemented. |
| <b>Start date</b>              | October 2022                 |
| <b>Scale of initiative</b>     | Local                        |
| <b>Target group</b>            | Adults<br>Offenders          |

## Aim

The aim of reminder texts to defendants is to:

- reduce incidents of defendants failing to attend (FTA) first court hearings
- maximise use of court time

Non-attendance to first hearings remains a significant issue for the criminal justice partnership. Rescheduling court appearances causes a chain reaction of policing demand to rectify arrest tasking, locate and arrest, custody requirements and remand court. This affects victims and witnesses of crime who suffer harm through delay in outcomes of cases and also affects the wider community through delays in service where frontline policing effort is diverted elsewhere.

## Intended outcome

The intended outcome is an improvement in attendance at first court hearings. This allows the court to effectively deal with cases promptly and reduce demand on court listings. Prompt justice outcomes are a benefit to victims and witnesses, increasing confidence in the criminal justice process and partnership. This also reduces demand on frontline policing where arrest taskings are used to bring FTA defendants back into custody and into the remand courts. The project outcomes aim to ensure that all those required to appear at a first hearing attend court. The use of a text message as a reminder seeks to reduce non-attendance through a reminder the day before their appearance.

## Description

Victims and witnesses are known to want prompt and effective justice, either by first hearing disposal at a guilty plea or by trial setting early in the process. If defendants fail to appear and go to an arrest warrant phase, this can add considerable delay to the prompt delivery of justice, and mistrust in policing who sought fit to provide bail that they have failed to comply with.

Initially the initiative was reviewed from a victim accountability aspect, to ensure prompt disposal and updates from first hearings. Once reviewed, a significant waste of court time was identified, and the even greater time spent by an already overstretched frontline policing in tasking arrest enquiries and remand process in response to court warrants.

Details of defendants due to attend first hearings are cross-checked with nominal data provided by Athena (a software management system) provided to police by the suspect in custody to obtain up-to-date phone numbers. Statistics showed that of defendants required to attend court for a first hearing, 117 attended and 38 did not show. The phone number, court date and time is loaded onto a gov.uk Notify web address which stacks details until the date before the court event, when it sends an automated text to the defendant, for example '((name)) You are due to appear at ((name of court)) magistrates court on ((date)) at ((time)). Please present yourself to the Court at least 30 minutes in advance. THIS IS AN AUTOMATED MESSAGE - DO NOT REPLY TO THIS TEXT'. The reminder message sent to defendants are front-loaded at week commencement, but is timed to send the day before the first hearing. This is similar to those sent by NHS England to remind you of a hospital or doctors appointment.

Staffing of sending reminder texts to the defendants requires 0.6FTE (which represents 60% full-time establishment) across two counties. There have been no additional costings for the onboarding of the gov.uk system, nor any additional ongoing costs associated with running this project.

## Evaluation

Evaluation is ongoing and led by the police force. This was first rolled out as business as usual in October 2022, initially in one court and then expanding to all courts in Hertfordshire. Further rollout was delivered in Bedfordshire, with plans to rollout across Cambridgeshire.

The evaluation also looks at the impact, with the measures being compared before and after implementation. Specifically, once a new performance measure tool is embedded, the intention is to compare this with the short data set of the pilot to compare improvement. The evaluation also looks across annual data for volume of warrants received by forces to measure a steady improvement.

Initially in the project phase, a manual evaluation was undertaken, in a 'proof of concept' mode. This evaluation included reviewing a dataset of cases, which identified that 20% of defendants who did not get a text failed to appear, but only 5% that did get a text failed to appear. Work is ongoing to automate this process, drawing data from court lists, Athena and court outcome data, to allow a Power BI product to demonstrate ongoing success of delivery.

## Overall impact

- An initial dataset of 156 defendants was used. Of the 156 defendants, 117 attended their hearing (75%). Of these 117 attendees, 85 (73%) got a text, 32 (27%) did not. In addition, 20% of defendants who did not get a text failed to appear, but only 5% that did get a text failed to appear.
- 39 of the initial 156 defendants did not attend their first hearing. 31 of these 39 did not get a text message. Anecdotally it is considered that time management may not be a key thread in some of those attending first hearings. 'I forgot' is considered a likely response if a detailed review was possible. This process seeks to remind them immediately before the event and provide the reassurance that their appearance remains important to the criminal justice system.
- 80% of non-attendees did not receive a reminder, demonstrating those receiving texts are more likely to attend court. Reasons for not receiving a text message include defendants not having a phone number available or the number was texted and not received by the defendant, with the phone possibly seized by police as part of ongoing case investigation.

The overall impact shows a reduction in the requirement to locate, trace, arrest, process and remand defendants who fail to appear.

## Learning

The challenge is now to improve data quality to increase the percentage (60%) who can receive a text. The aim is to do this by collating data of the quantity of hearings we have data for and those we do not. This will be disseminated to chief inspectors at operational performance review meetings to encourage frontline policing to see the value of accurate phone number acquisition at the outset

of arrest/suspect engagement. For example, in Bedfordshire the week commencing 5 December 2023, 88 first hearings were listed, with only 40 successful texts to defendants landing. That leaves 55% of cases without a reminder able to be sent and the aspiration could be to improve this figure above 80%.

Following implementation there have been two instances requiring review. Where a suspect was wrongly charged, they required removal from the courts' first hearing list. This was not communicated to the text team and the defendant received a conflicting text message. This has been reviewed to reduce risk of occurrence.

Where His Majesty Courts & Tribunals Service (HMCTS) are required to alter hearing dates, for example a total 'lift and shift' of cases due to industrial action at the court estate, this requires communication to the text team to remove or amend the text message requirement. This is now addressed in fortnightly police or HMCTS listing meetings to ensure clarity.

Steps taken in carrying out this initiative include staff carrying out their role and understanding the holistic benefit. This may seem like a court issue, but police carry the burden of FTA arrests, custody care and remand court work, with Prison Escort Services Courts and Sites (SERCO) perhaps also affected in relation to prisoner transport, and so on. Once it is understood that just one fewer arrest tasking saves considerable frontline commitment, this project seems to sell itself. The text platform is easily attained, and a communication strategy across policing is easy to control.

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