

## The impact of Litigants in Person on the Northern Ireland Court System

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**Funding mode/funder:**

Nuffield Foundation

**Start and End date:**

April 2016-July 2018

**1. Brief summary of what the research is about.**

The research is designed to understand the experiences of litigants in person and the impact that they have on the civil and family courts in Northern Ireland.

**2. What are the research questions?**

1. **Who are litigants in person in Northern Ireland?** Working with the Northern Ireland Courts and Tribunals Service, we aim to describe the population characteristics of litigants in person.
2. **What is it like to bring a civil or family case without legal representation in Northern Ireland?** By interviewing litigants in person involved in cases, we would like to describe the route and reasons why people end up without representation, the support services available and

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|                                  | <p>used, the degree of participation in court proceedings and what helps or hinders litigants in person. We are limiting our research to cases related to civil bills, divorce, bankruptcy, family proceedings, and family homes and domestic violence.</p> <p>3. <b>What is the impact of litigants in person on the Northern Ireland court system?</b><br/>By observing court hearings and interviewing litigants, court staff, lawyers and judges, we aim to describe the difficulties that courts face when litigants are not represented in a case. We will look at the duration and number of hearings, the challenge to perceptions of impartiality when judges assist litigants in person, and the frustration and delay caused to represented parties.</p> <p>4. <b>How does advice on completing paperwork and court procedure help litigants in person?</b><br/>This is an experimental strand in the research. From January – June 2017, we would like to offer some litigants advice on procedure in court hearings (but not on legal merits or other legal advice). By interviewing litigants in person before and after their hearing, we aim to make recommendations on practical support for litigants in person.</p> <p>5. <b>Are there any threats to the human right to a fair trial when litigating in person?</b><br/>This final strand of the research will comment on compliance with the right to a fair trial, as protected by Article 6 of the European Convention of Human Rights and Fundamental Freedoms, when litigating in person.</p> |
| 3. What, if any, outputs so far? |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 4. What outputs are planned?     | The project will provide a final report that will be launched at a public conference in Belfast in September 2018. Additional outputs will include a policy presentation at the Northern Ireland Assembly in May 2018 and further                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|                                                                                                                            | academic outputs.                                                                                                                                                                                                                                                                                                                                   |
| <b>5. What is the anticipated impact?</b>                                                                                  | The report with work with an external Advisory Group and develop recommendations for future practice in the court systems for litigants in person, which we anticipate will be taken forward by the proposed Civil Justice Council and Family Justice Board in Northern Ireland, and feed into Department of Justice policy on litigants in person. |
| <b>6. Comments / additional information / requests for data or input from the broader administrative justice community</b> |                                                                                                                                                                                                                                                                                                                                                     |