

rate), quality (file integrity), timeliness (on-time case processing), and cost (total output cost).¹⁹ More tailored research and data collection is required to understand remote hearings.

Improvements are required to ensure that more extensive data can be collected and analysed. This requires robust information-gathering on remote hearings, exploring stakeholder and participant experiences, the quality of justice and the speed and costs of its delivery.²⁰ As recommended in the United Kingdom, courts could evaluate ways of introducing unique identifiers for individual users in the justice system and subsequently provide additional datapoints, including information related to vulnerability, legal representation, and geo-demographic characteristics.²¹ The association between the use of technology and user experiences and outcomes should be explored.

Review and reform in the Victorian civil justice system requires empirical data and measures of performance from a diverse range of key participants and users of the court system, including litigants and judicial officers.²² This is also necessary to assess the full impact of COVID-19 on the civil justice system. Court Services Victoria should further invest in the production of more frequent external-facing datasets.

Conclusion

As acknowledged by the Victorian Government's 2016 Access to Justice Review Report, justice system data is foundational to policy development.²³ International practice demonstrates that empirical research is central to a fair justice system that responds to the needs of its users and embraces access to justice. Yet data collection practices in the Victorian justice system continue to fall short. The COVID-19 pandemic is a critical turning point. Its monumental impacts on court and tribunal users demands an understanding of the substantive effects of remote justice. This is an analysis that cannot be limited to the reporting of general information about courts' use of technology.

¹⁹ See Court Services Victoria, *Connecting Courts and Communities: Annual Report 2018–19* (Report, 2019) 29–31.

²⁰ Colleen Hanycz, 'More Access to Less Justice: Efficiency, Proportionality and Costs in Canadian Civil Justice Reform' (2008) 27(1) *Civil Justice Quarterly* 98, 101.

²¹ *Digital Justice: HMCTS Data Strategy and Delivering Access to Justice* (n 7) 7.

²² *Civil Justice Review* (n 3) 98.

²³ Victorian Government, *Access to Justice Review (Report, August 2016) vol 1*, 66.