Court Safety Project

Fortress or Sanctuary? Enhancing court safety by managing people, places and processes

Project funded by the Australian Research Council. Project partners are the Family Court of Australia, Western Australia Department of Justice and Attorney General, Courts Administration Authority of South Australia, Magistrates Court Victoria, New Zealand Ministry of Justice, MyriaD Consultants Pty Ltd, PTW Architects, Connley Walker Pty Ltd, Lyons Architects.

Project aims

The Court Safety Project aims to:

• identify the actual and perceived safety needs of court user communities
• identify the features of court processes, practices and designs that contribute to safer court environments
• measure the impact of changes to court processes, practices and designs on the safety of court environments
• develop best practice guidelines for improving the safety environments of courts.

‘Safety’ has a negative aspect – it involves preventing violence, intimidation, unnecessary stress and anxiety. It also has a positive aspect – fostering a supportive environment in which people feel respected, recognised and able to exercise their legal rights and responsibilities. The study looks at both the negative and positive aspects of safety.

Research approaches

The study obtains information about the safety of court processes and spaces from the perspective of court staff, users and visitors. The strengths of the study are that it is comparative, draws on different disciplines, and works closely with courts to ensure an ongoing process of feedback. The research approaches used on the study include:

• Incident reports
  A comparative analysis of how different jurisdictions identify, record, and analyse safety and security incidents
• Client services
  An exploration of how court staff, and staff from other agencies, work to improve access to information, services and support for court users
• User juries
  Groups of citizens provide their own assessment of court environments, compare several courts by walking through them, then discuss their reactions in a focus group
• Activity mapping
  Professional architects map the way people flow through different court spaces
• Stakeholder interviews
  Key safety and security stakeholders in each jurisdiction are interviewed about the process, practice, and challenges of creating a safe environment for all users
• User surveys
  Regular users of court spaces (legal professionals, support staff) and non-regular users (jurors) will respond to surveys on their perceptions of the security of their surroundings.

Client services

Good quality client services are integral to courts administration and play an important role in improving safety for court staff and clients. Other parts of the study focus on the experience of individuals, whether judicial officers, clients or court staff. This part of the study takes an organisational approach – it looks at the processes that are put in place to improve client services.

The method tries to map the relationship between court clients and different parts of the court system – particularly registry services – and will develop a client services model for each partner organisation. The study will assess strategies used by different courts to improve the user experience with the courts through streamlined or better targeted processes, better training or supervision of staff, more comfortable and accessible spaces and fuller monitoring or outcomes.

A paper on this part of the study was presented at the Third Justice Environments Conference. It is available to download at: www.uws.edu.au/justice/justice/news_and_events/jec3_conference_papers
In 2009, six jurors were recruited to the jury for the pilot test. They spent two hours touring and observing the Melbourne Magistrates’ Court and the Collingwood Neighbourhood Justice Centre (NJJC), and then convened for a discussion and to compare notes. This part of the study aims to:

- describe how visitors to courts experience different court buildings
- examine how court design and interactions with staff influence user perceptions
- document user expectations and understandings of safety in court environments
- identify features of court spaces that users identify as most welcoming, supportive and respectful or – conversely – confusing, stressful and unsafe.

Members of the user jury are told that it is their insights and experience of the space that are important and relevant to the study, and that the broader study is concerned with how people experience the court buildings. Other than that, the information provided is limited to checklist prompts such as: ‘. . do the waiting areas make you feel comfortable, or do they make you feel anxious?’.

The members of the user jury then come together to ‘deliberate’ on their findings.

**Comments from the pilot study**
The written comments for Collingwood NJC included:

- **Areas outside court entrance**
  “It looks like a factory zone – this is not a very good area – it doesn’t look safe to walk around”

- **Entrance to building**
  “Warm place with paintings and flowers ... small justice for sure ... helps me feel more relaxed”

- **Screening facilities inside the building**
  “No screen facilities, just three security guards sitting behind a desk ... Is it safe not to have screen facilities?”

During the deliberation the jurors were able to express different views and compare experiences. The checklist data contextualised some of the comments made in the focus groups as well as revealing issues that were not explicitly discussed in them.

**Tasks of the user jury**

For each building, jurors record their individual comments about:

1. areas outside the court entrance
2. entrance to the building
3. screening facilities inside the building
4. general waiting areas
5. signs, notice boards and other guides to navigation
6. access (disabled)
7. lifts, stairs and escalators
8. waiting areas in registries
9. registry areas
10. interview rooms
11. waiting areas outside courtrooms
12. courtroom entrances
13. courtroom spaces
14. any other public spaces
15. bathroom facilities
16. refreshments
17. car parking
18. other.
Responses varied considerably. For example, the ‘informal’ layout of Collingwood NJC was seen as more welcoming and ‘friendly’ by the majority of jurors due to ‘the more casual entrance’, ‘the family oriented design features’, the ‘appealing outdoor spaces’ and the ‘respect of indigenous cultures’. Two jurors, however, criticised the space. One stated that in terms of achieving justice it was ‘too friendly’ and ‘not serious enough’ and, in their view, a person sentenced there would be likely to re-offend. The other said the Melbourne Magistrates’ Court was too oppressive and she felt ‘guilty being there as a visitor’.

While most people agreed that the level of transparency at Collingwood NJC made it less intimidating, one juror felt the court was not ‘community-scaled’ in its layout and was ‘institutional and cheap, like a hospital’.

Conclusion

Comments from user juries will help us identify responses of people, some of whom may have little previous knowledge about courts, to court spaces. The method provides a useful barometer of ‘first impressions’ of particular design features of court buildings or court services in a comparative perspective.

Dates for future user juries

User juries are being planned in Melbourne and Adelaide in late 2010. The confirmed dates and venues for these will be published on the Justice Environments website at: www.justiceenvironments.edu.au/

For further information contact Imogen Beynon at: imogenbeynon@gmail.com

Safety incidents

Part of the ‘scoping’ stage of the Court Safety Project is comparing information from different court systems about safety and security incidents across jurisdictions. Interesting issues have emerged about the way safety and security concerns are defined, recorded, collated and used.

When the research team examined official security incidents data for 2008 in Victoria, South Australia (SA) and New Zealand (NZ), some of the issues that emerged were:

- **Identifying incidents**
  All three jurisdictions have different procedures for defining an incident, recording and filing this data, and for dealing with incidents perceived to be serious.

- **Coding incidents**
  Each jurisdiction uses different terminology and records a different level of detail for incidents. In 2008, NZ reported 32 different types of incidents, Victoria had 19, and SA recorded 11. We tried to develop a method to compare information between jurisdictions by grouping data into 7 different types of incidents: disorder, property, violence-self, violence-other, weapons, natural (i.e. fire), other.

- **Standardising the denominator across jurisdictions**
  To compare data from different places it is useful to produce rates. Some courts are busier than others. Should the rate be expressed in relation to the number of court users, cases, court-days or courtrooms in the building? All have strengths and weaknesses, and data about these activity measures vary between jurisdictions.

It may be unrealistic to think that any ‘standardised’ set of indicators is possible although, should the participating jurisdictions find this useful, it is certainly an issue that could be explored further. Perhaps more productive, at least in the short term, would be to compare how jurisdictions use the data they collect to contribute to policy development and staff training and to improve court processes, environments and client service delivery.

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On Day 1, the Court Safety tour, which was one of four themed courts tours, focussed on safety and security measures at the Downing Centre (Local and District Courts), the Lionel Bowen Building (Family Court) and Queen Square (Supreme, Federal, and High Courts) in the city, and the Sydney West Trial Courts, Children’s Court, and Justice Precinct offices at Parramatta. Each court generously provided a guided tour and answered questions.

Some observations of participants on the tour included:
• A preference for court rooms with natural light and outside views (eg floor to ceiling windows) that were less formal
• Docks should include defendants in the body of the courtroom and not place them behind glass barriers
• Waiting areas that are more open, welcoming and user friendly could enhance safety and security because people would feel less stressed and alienated
• Waiting areas sometimes felt cramped and claustrophobic or lacked calming outside views or access to attractive outdoor areas such as internal courtyards or atriums, or were seen as not user friendly to young people
• Security staff commented on the value of employing long term security staff rather than private contractors
• Access to safe rooms for people with safety concerns.

On Days 2 and 3, updates were presented on the various methodologies and approaches being developed to examine court safety across Australia and New Zealand. These included papers by:
• Chief Investigators Rick Sarre (with Tim Prenzler): exploring issues and options for security in courts and focusing on the growing shift to the use of private security teams in court buildings
• Imogen Beynon: on ‘user juries’ and their use in ascertaining the many meanings of safety and security in courts
• Doug Jackman: on a study of client services delivery and practice
• Meredith Rossner and Ekta Nankani: analysis of preliminary data on comparative security incidents across jurisdictions.

Industry partners who served as panel discussants for these papers included Justice Laurie Newhook (New Zealand Environmental Court), Dave Watson (Marshall of the Family Court of Australia), Ivan Ravlich (Director of Technical and Judicial Security, New Zealand Ministry of Justice), and Simon Walker (Security Consultant, Connley Walker).

To download conference papers, go to www.uws.edu.au/justice/justice/news_and_events/jec3_conference_papers
Accommodating Justice: a design studio

A key aspect of the Court Safety Project is to examine the way court architecture and design contributes to the safety and security of court users. The Accommodating Justice design studio is an example of courts and researchers working together to develop ideas into policies.

One of the leading CIs on the project, Professor Graham Brawn, is running a design studio for students in architecture at the University of Melbourne. Titled ‘Accommodating Justice’, the studio gets students to explore various aspects of court safety and security (amongst other things) as they prepare designs for a re-modelled Broadmeadows court in the northern suburbs of Melbourne. Students will come up with plans for improved accessibility, provision of visual relief to stressed court participants, making places feel safer, and access to natural conditions, including natural ventilation. Broadmeadows has a Koori Court operating there, so the concept of cultural safety will also be highly relevant – how well do the court spaces meet the needs of indigenous people for recognition, culturally sensitive rituals and fair treatment?

This studio is being run with the support of one of the partners on this project, the Victorian Magistrates Court, in particular Stewart Fenwick, leader of a group within the court’s New Directions project. It is anticipated that digital displays of the student proposals will be made available to a wider audience.

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*Photos supplied by Imogen Beynon and Parramatta Family Law Courts.*