

Litigant in Person Reference Group visit to Laganside Courts with NICTS staff 11th April 2019

A. Introduction

In September 2018 the School of Law at Ulster University in partnership with the Northern Ireland Human Rights Commission (and funded by the Nuffield Foundation) published its research report “*Litigants in person in Northern Ireland: barriers to legal participation,*” which evidenced some of the main challenges faced by litigants in person (LiPs) involved in civil or family proceedings. Following publication of that research, the Department of Justice in consultation with Ulster University and the Northern Ireland Human Rights Commission, established the Litigants in Person Reference Group, with a view to identifying ways to improve the experience of personal litigants in the courts system in Northern Ireland. The work of the Group is currently focused, on the information and support needs of LiPs and their relationships with others in the justice system.

On 11th April 2019 members of the Reference Group visited Laganside Courts with NICTS staff to identify some of the particular obstacles LiPs face in navigating the court environment and to explore potential practical solutions for overcoming those obstacles. What follows is a summary of the observations and suggestions for improvements/changes that emerged from that visit.

B. Information

Obstacles

1. There is insufficient accessible information on how to complete court forms and applications etc.
2. Pre-hearing correspondence from the courts is often confusing. A summons is generally issued by the opposing solicitor and does not have any covering correspondence from NICTS about court location, expectations etc.

3. It is difficult to work out what to do or where to go on arrival at the court leading to feelings of anxiety and isolation.
4. The information for LiPs currently displayed states what LiPs cannot do and what NICTS staff cannot do. There are no positive messages about what help is available.
5. It is doubtful whether LiPs would know where to access the court lists that are displayed inside the Payments & Enquiries' Office.

Some suggested solutions

1. Consideration should be given to NICTS developing a webinar to guide individuals through the process of completing certain court applications and provide guidance on how to complete forms as well as information on where to go in different court buildings. A virtual reality tour (or video) of different court buildings might also be included.
2. Consideration should be given to including an accessible explanatory leaflet from NICTS when a summons is issued.
3. NICTS indicated that there is a new IT upgrade underway and this may include having video screens to display information at the entrance to the court, potentially beside or opposite the lifts
4. A check-in system, similar to that used in some GP surgeries, might be considered as part of a technology upgrade where the name or ICOS number is put into a touch screen. This then provides the individual with information on which court to go to and where it is located. This also has the potential to assist court officials in ascertaining whether or not someone has turned up.
5. Further consideration should be given to what information it would be helpful to display in waiting areas. For example, information on how long cases may take, what time they might start, the process for calling a LiP into court, what to call the judge or the other party and what the LiP will be called (Respondent, Defendant, Plaintiff, etc). This information could be repeated on a loop on TV screens if these are part of the new IT upgrade. The alternative of having barcodes that a smartphone can scan to access the same information on the NICTS website was raised, with the caveat that not all LiPs will be familiar with or have access to smartphone technology.

6. It would also be helpful to provide LiPs with information about what will happen in the courtroom, beginning with where they are to sit. Consideration should be given to an allocated LiP seat (and one for any McKenzie Friend) which lawyers would be required to vacate if a LiP has a hearing. This would create consistency in approach and avoid the feeling for the LiP of being an “outsider”.
7. It might also be helpful to include the reference numbers for Family Proceedings cases in court lists

C. Interaction with court personnel

Obstacles

1. There is some confusion for LiPs as to the differing roles of court personnel reception staff (who provide a building information service) and Payments & Enquiries/NICTS staff (who provide a court information service).
2. It is often difficult for LiPs to identify and make themselves known to court clerks or G4S staff, especially when the courts are busy/in session/closed.
3. Although NICTS staff explained that G4S staff walk around each floor and help guide LiPs to where they need to be, G4S staff are not always immediately visible or may be busy for lengthy periods with other people/issues.

Suggested solutions

1. Consideration should be given to providing designated officers in the NICTS office who are expressly responsible for dealing with any queries that LiPs may have about their cases and who can provide or signpost a LiP to where s/he can find the particular information needed. On first contact with a LiP, NICTS should confirm how, where and when those designated officers can be contacted.
2. Dedicated phone-times for LiPs were suggested. NICTS staff considered they would better serve customers by being open to calls at any time.
3. In relation to attendance at court, consideration should be given to allocating an easily identified member of NICTS staff to provide assistance

to LiPs. NICTS staff raised concern around resourcing this particularly in relation to smaller offices/court facilities.

4. In relation to attendance at court, consideration should be given to a designated waiting area for LiPs. G4S staff could come to them to deal with any queries. This would help counter the feeling that LiPs often experience of being “outsiders”. It would provide a physical space where they would be included within the courts.
5. The LiP’s need for assistance could be signalled by pressing a button, a light would go on, and when G4S see the light they would know that there is a query to be dealt with (similar to a supermarket check-out light or a call button in an aeroplane).
6. Consideration should be given to allocating an easily identified member of G4S staff to provide assistance to LiPs.

D. Signage

Obstacles (first floor)

1. It is not clear at present at whom the signage is targeted. There are no distinctive features or indications of types of court users who need to read the information.
2. Signage on the ground floor is too indistinct (grey on grey)

Obstacles (second floor)

1. The signage is opposite the lift but when the floor is busy (as it usually is in the mornings), the signage is hidden or difficult to see. There is also a need to make this more distinctive (black letters rather than grey on grey).
2. The signage outside the lift is very cluttered with different assorted signs. It is difficult to distinguish the most important or most relevant information
3. The current signage above the doors into the family court area could be more prominent (currently a laminated white sign on the door frame)

Suggested solutions

1. It would be more helpful if the signage was like a floor plan, similar to what is commonly found in a museum setting e.g. demarcating particular areas,

showing different levels of the building so people know the courts are spread over different floors and where to find their particular courtroom.

2. It would be helpful if there was a colour or logo that LiPs could look for that would draw their attention to information that is particularly directed at them. NICTS staff expressed concern that they cannot prioritise one group of court users over another.
3. Signage should stand out clearly and should not be at risk of being obscured by crowds etc. The signage on the third floor is clearer and more visible with black lettering on a pale background.

E. Concluding comments

It is proposed that similar visits will be organised in a number of courts outside Belfast as there may be additional or different issues that do not arise in Laganside.me, the visit to Laganside Courts has highlighted a number of issues that are specific to Laganside and the Reference Group would ask that these are considered and dealt with as soon as practicable. Following the visits to other courts any general issues that apply to all courts could be considered as part of a wider strategy.