

Litigant in Person Reference Group

**Court Visits and Response from
Department of Justice/Northern Ireland
Courts and Tribunals Service**

INDEX

	<u>Page</u>
Background	1
Litigant in Person Reference Group visit to Laganside Courts	2
A. Introduction	2
B. Information	2
C. Interaction with court personnel	4
D. Signage	5
E. Concluding comments	6
Litigant in Person Reference Group visit to Dungannon Court	7
A. Introduction	7
B. Layout, design etc.	7
C. Conclusion	10
Annex A – DoJ/NICTS Response and Action Plan	11

Background

The Litigant in Person Reference Group visited Laganside Courts (11th April 2019) and Dungannon Court (4th October 2019) to meet local Court Managers, identify some of the particular obstacles Litigants in Person (LiPs) may face in navigating the court environment and explore potential practical solutions for overcoming those obstacles.

The individual reports on these site visits are included in the following sections below. As a result of these visits, a number of observations and suggestions were made and grouped under key themes including information, interaction with court personnel, signage and layout/design.

The Department of Justice (DoJ) and the Northern Ireland Courts and Tribunals Service (NICTS) strive to enhance and improve the experience for everyone who has cause to use the court system in Northern Ireland. For completeness **Annex A** details the DoJ/NICTS response to the various suggestions and recommendations made on foot of the two court visits.

Litigant in Person Reference Group visit to Laganside Courts

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 LiPs 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. 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.

Litigant in Person Reference Group visit to Dungannon Court

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 4th October 2019 members of the Reference Group visited Dungannon Court with NICTS staff to identify any obstacles LiPs may face in navigating the court environment and to explore potential practical solutions for overcoming any such obstacles. What follows is a summary of the observations and suggestions that emerged from that visit.

B. Layout, design etc.

1. The Dungannon Court House is a modern building which is bright and airy and has disabled access. It has parking spaces within its grounds including provision for parking close to the building to facilitate disabled access. The Court is located close to Dungannon town centre so it is close to local bus services. The visit was on a Friday afternoon and there was little activity around the four courts operating within the building.
2. On entering the building, everyone is required to go through a security check which is managed by staff outsourced from NICTS. The staff have been trained to answer and assist users whenever possible. There is a public enquiry office on the ground floor which is easy to find.

3. The four courts operate across three separate floors with lift and stair access. The signage is generally good though there are no braille signs. Induction loops can be used in all four court rooms for people with hearing impairments.
4. Each court has a waiting area with chairs which are bolted to the floor. During our visit a member of the public came up to the third floor to ask if anyone minded her sitting up here as the seats downstairs were so uncomfortable.
5. There is an array of posters in the public office and in each waiting area outside the court and a video screen as people move into the building on the ground floor. The video screen displays the names of users and which courts they are expected to be seen in (as standard names for those attending Family Proceedings are not listed due to privacy).
6. There is little coherence to the posters displayed, for example, the poster setting out 'what we expect from you' and 'what you can expect from us' is in the public reception waiting area and one in the waiting area of one court but, not others. One poster in the reception area covering disability needs has an information leaflet pinned over it. It would be good to have key specific information on each floor with, in some cases, a leaflet about what you can expect from us and the reverse or an online version available in advance which is mentioned in letters to court users.
7. Some posters on the ground floor are immediately behind a row of chairs in a waiting area and as a result, you would have to stand over someone sitting and waiting to read the poster (several posters have quite a lot of text and could not be read from a distance). In most areas, the posters are not immediately behind the waiting area chairs so they can be accessed readily. The intention is to introduce more video screens for information in due course.
8. There are signs encouraging individuals to let court staff know if you don't have a solicitor though, again, they are not on every floor (at least as far as we could see).
9. A café operates on the first floor which is open to 2pm. The court operates to facilitate judges so users called all attend from around 10am and many will not have their cases heard immediately so even knowing that in advance would be helpful as it was pointed out that many LiPs would not go and get a tea/coffee or use the toilet for fear of missing being called into court.

10. There are no facilities for bringing children with you to the court and this is discouraged. Where a child or young person is a witness or involved in a case then, normally DPP or solicitor has made any necessary arrangements. A LiP who doesn't have childcare arrangements will have to 'make do and mend'. There are consultation rooms on each floor so that an individual can be separated from a former abusive partner, however, to access this the onus falls on the LiP to both know this facility is available and to alert court staff.
11. There was a discussion around helping LiPs prepare in advance. Issues raised included alerting a person in advance from the outset that he or she has been named on proceedings and is therefore likely to have to appear in court at some stage. Presently, a person often gets around 14 days' notice of needing to attend court and getting legal representation. Even preparing in advance without a solicitor at short notice can often be difficult. An example cited was being issued with a court order at 8pm on arriving home from work in the evening of the need to attend court the next day. Court staff raised that court rules may prevent such an approach.
12. More information about what to expect and how to prepare in accompanying letters to attend court would be helpful. This could be done through a leaflet or even suggesting an online link on where to access further information. This could allow people to understand that if a case is called for 10am it may not go ahead immediately, who to ask if you have a query when you arrive, what to do if the other side is for example, a former partner and because of circumstances you wish to be kept apart from that individual etc.
13. We also discussed the expectations on staff, court users and others that conversations in public areas and proceeding should be kept private. Court staff noted that their staff are trained in awareness of privacy and general principles around this, otherwise no other information is provided to others. There are clearly very public conversations going on about cases in public areas especially in the reception and waiting areas (when consulting rooms are all taken). An example given was a blog by a McKenzie Friend which included details of a case that the individuals and family members involved would have known referred to them.

C. Conclusion

It was good to see a local court and court service staff were open in facilitating the visit. Our inclination might be to visit one more local court, perhaps one which is not as modern to provide a useful comparator.

The facilities in Dungannon were generally very good yet, the onus still largely falls to LiPs to work out how to prepare in advance, seek help etc. and more could be done to facilitate this. As court service staff pointed out the substantial majority of court users are coming to court in whatever role for the first time.

DoJ/NICTS Response and Action Plan

Reference Group Proposal	NICTS / DoJ Response & Action	Delivery Date
<p>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 fill in 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</p>	<p>DoJ and NICTS are involved in a UU led project to develop information tools for parties to family proceedings including a webinar. Further webinar type tools will be considered following review of products emerging from that project.</p> <p>DoJ is also considering other potential tools to aid court users, work on the first of which, a virtual reality tour of a family court room is underway.</p>	<p>September 2020 (subject to the availability of external expert resource)</p>
<p>2. Consideration should be given to including an accessible explanatory leaflet from NICTS when a summons is issued.</p>	<p>NICTS has committed to reviewing all customer communications (excluding those produced by the Court) – with a view to simplifying and streamlining communications. The work completed to date on user journeys and experiences will be incorporated. The LiP Steering Group will be asked to quality assure the overall work programme.</p>	<p>October - December 2020 (date reviewed (from March 2020) as a result of Covid-19 Recovery planning)</p>
<p>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.</p>	<p>To be considered within the context of the NICTS ICT Strategy/ Modernisation Programme.</p>	

Reference Group Proposal	NICTS / DoJ Response & Action	Delivery Date
<p>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.</p>	<p>This recommendation will not be progressed however the work completed to address Recommendation 2 will aim to better support court users.</p>	
<p>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, 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.</p>	<p>This recommendation will be taken forward in conjunction with Recommendation 2.</p> <p>In addition the response to Covid-19 has provided new opportunities to schedule both physical and remote hearings – guidance issued by the Office of the Lord Chief Justice provides specific support for Litigants in Person.</p>	<p>October - December 2020</p>
<p>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”.</p>	<p>This recommendation will be considered in the context of addressing Recommendation 1. Work on a virtual reality tour of a family courtroom is already underway.</p>	<p>Partially by September 2020 (subject to the availability of external expert resource)</p>

Reference Group Proposal	NICTS / DoJ Response & Action	Delivery Date
7. It might also be helpful to include the reference numbers for Family Proceedings cases in court lists.	Family Court Lists cannot be published – this has been assessed in terms of GDPR and information access regulations. However improved communication should support a positive change in relation to this recommendation.	N/A
STAFF RESOURCES		
8. 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.	NICTS strives to provide a quality service to all court users in terms of administration of courts and the associated communication. In doing so we aim to ensure that all staff (including contracted services) provide a quality service to court users, the need to consider value for money and best use of public funds precludes the Agency from having dedicated staff for individual user groups.	N/A
9. Dedicated phone-times for LiPs were suggested. NICTS staff considered they would better serve customers by being open to calls at any time.	As noted above.	
10. 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 raised concern around resourcing this, particularly in relation to smaller offices/court facilities.	As noted above.	

Reference Group Proposal	NICTS / DoJ Response & Action	Delivery Date
11. 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.	NICTS is not be in a position where it can prioritise or provide individual representative groups with priority access or service, given the current estate configuration and constraints relating to listed and the aged condition of the estate, however there is a recognised need to ensure that appropriate information and support is available to all court users. Addressing Recommendation 2 is a starting point and this will be kept under review at LiP Steering Group level.	N/A
12. The LiPs 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).	As Above.	
13. Consideration should be given to allocating an easily identified member of G4S staff to provide assistance to LiPs.	As Above.	
SIGNAGE / PREMISES		
14. 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.	Signage and potential changes will be considered in the context of the NICTS Estates Strategy, with an aim to provide consistent and high quality signage (both electronic and static) throughout the estate as we modernise our services and premises. The Estates Strategy, when developed, will be subject to external consultation and we welcome the views of the LiP Steering Groups and individuals at this time.	

Reference Group Proposal	NICTS / DoJ Response & Action	Delivery Date
15. 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.	As at 14 above.	
16. Signage should stand out clearly and should not be at risk of being obscured by crowds etc. This suggested solution also applies to obstacles identified below.	As at 14 above.	