



Our Title: A Holistic Analysis of Safety within the Court Facility

Author's Title: Reconceptualizing Security Strategies for Courts: Developing a Typology for Safer Court Environments

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Year of Publication: 2013

Design Issue:

Purpose: This qualitative study developed a new typology to analyze and improve safety in the Australian courthouse environment via best practice guidelines for courthouse design and operations based on Australian courthouse user experiences.

Rationale:

- Acts of violence inside and outside of court facilities over the past 30 years has escalated security concerns. Additional studies, training of court personnel, and investment into physical enhancements (metal detectors, scanning devices) and point-of-entry features, including surveillance equipment, have increased.
- Stakeholders' sense of safety is impacted by addressing their psychological, cultural, and accessibility needs. Security tends to be a reactionary approach to risk and often does not address these needs.
- Perimeter and control-point security have been the focus of courtroom safety, however, safety is also influenced by the design of the courtroom and procedures.

Design Criteria:

The author identified the following design criteria:

- Provide separate waiting rooms for the victim and persons who are there for support to minimize interaction between the accused and the victim.
- Ensure space to accommodate preparation of the victim prior to a hearing.
- Create discrete entrances for witnesses who may be vulnerable, and design the court facility layout to minimize the opportunity for victims to be or feel cornered in public spaces of court facilities.
- Avoid providing areas that are visually hidden to minimize the chance of victim or witness intimidation and increase observation by security personnel.
- Provide facilities that can be used to support alternative processes such as video communication (versus in-person communication).
- Design court facilities to support surveillance of users whether by security officers and/or equipment, which may be a request or requirement of the legal process or facilities' security operation.
- Design the facility so the public is aware of security personnel to enhance their sense of safety.
- Design the layout and building characteristics to accommodate closed-circuit television (CCTV) that monitors movement of people in the court facility as well as security screening equipment and processes.



- Accommodate/provide for screening systems and equipment that may be used to contribute to users' safety.

InformeDesign identified the following design criteria:

- Be aware that place, process, and court personnel interact to affect feelings of safety for all stakeholders in the court facility; consider each when strategizing interventions (as functional process or design solution).
- Consider applying this typology analysis method to existing court facilities to evaluate and enhance current stakeholders' safety.
- Engage all users of the court facility to identify strategies that will enhance their feelings of safety.

Key Concepts:

- Psychological conditions (stress, discomfort) are often not addressed when the safety of court facility users is considered. Also, security represents a reactionary approach to achieving safety; these terms are relational, not synonymous.
- Stakeholders represent a broad group beyond the accused and the plaintiff (victim), and include all court personnel, advocates (social services and lawyers), justice officers, and the public; the needs of all of these people must be addressed by the court facility design and layout.
- The responsibility for stakeholders' safety is complex and relies on both process and place (design) decisions and subsequent outcomes. Numerous factors influence safety including types of users' concerns, types and volume of cases being heard, characteristics of the occupants and of the physical environment, and fiscal and human resources.
- Components' interactions were classified as 1) inflexible environments (physical space; building layout; immovable furnishings, fixtures, or equipment; signage), 2) regulatory systems (regulatory/legislated processes determined by the courts for users), 3) flexible environments (users influence the function/use of a space), and 4) supportive practices (interaction of all stakeholders to enhance a safe/secure outcome).
- Safety is influenced by the courtroom's design, procedures, and perimeter control.
- Achieving safety is a collaborative effort by designers of the court facility, managers of the processes, those who formulate court processes, and the users of the court facility.
- Security procedures are intended to ensure safety and include processes (risk management), equipment (cameras, scanners, detectors), and security guards.

Research Method:

- A qualitative approach was applied to identify and analyze stakeholders' feelings of safety in the courts relative to processes, procedures, and physical design of the courthouse in five Australian jurisdictions. The key concern identified for analysis focused on what happens as the accused is encountered in the courthouse or the courtroom.
- The data collection from subjects was done in two stages, both using a semi-structured approach. First, stakeholders (87) that consisted of judges, magistrates, court officers and



security staff, lawyers, and staff and community volunteers who support court users, and victims were interviewed about their experiences as users of the court facility. Second, researchers convened “user juries” who had toured court facilities identified by the researchers to discuss their impressions of the facilities. This group of stakeholders (66) consisted of community advocacy groups, support service personnel who serve victims of sexual assault, family violence, the disability community, and refugees and indigenous communities.

- Findings were coded by themes (7) that reflected the key concerns identified by subjects relative to safety: preparation for the hearing/appearance; waiting; intimidation; separation and segregation; security presence; intelligence gathering, planning ahead; and breaches and escalation.
- Themes were classified using two methods. First, they were explored relative to place (the physical environment issues) or process (operational issues). Second, based on the researchers’ understanding that achieving safety is a collaborative effort, the findings were categorized using Checkland’s systems thinking approach (Checkland & Scholes, 1990) that identifies the hard (systems, functions) and soft (people and relationships) aspects of how problems are solved and solutions implemented.
- Analysis from the axial model identified components’ interaction.
- Best practices relevant to design and operations (processes and procedures carried out by courthouse personnel) were identified from an analysis of the themes and axial model.

Limitations of the Study:

The author identified the following limitations:

- The study uses a common concern voiced by subjects (fear of physical violence or intimidation by the perpetrator when an encounter inadvertently happens in the courtroom/courthouse) to illustrate the conceptual model, though it is anticipated that the model can be applied to other concerns and situations.

Commentary: A conceptual model that illustrates the interaction of process, place, and relationships between people that determine safety for court facility users is presented. Stakeholders of the court facility environment are broadly identified. How subjects were selected for inclusion in the study was not identified. It is likely that the design criteria were provided based on data provided by the subjects.

Adapted From:

- **Author:** Anne Wallace, PhD, professor and head, School of Law & Justice, Edith Cowan University, Australia; Deborah Blackman, University of Canberra; and Emma Rowden, PhD, University of Technology, Sydney.
- **Title:** Reconceptualizing Security Strategies for Courts: Developing a Typology for Safer Court Environments
- **Publisher:** International Association for Court Administration
- **Publication:** International Journal for Court Administration



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- **Publication Type:** Refereed Journal
 - **Date of Publication:** October 2013
 - **Funder/Sponsor of Research:** Australian Research Council funded the original study, "Fortress or Sanctuary? Enhancing Court Safety by Managing People, Places, and Processes," which was the source of the data. Additional support was provided by industry partners: Family Court of Australia, the Western Australia Department of Justice and Attorney General, the Courts Administration Authority of South Australia, Magistrates Court of Victoria, the New Zealand Ministry of Justice, Myriad Consultants Pty Ltd, PTW Architects, Lyons Architects and security consultants Connley Walker Pty Ltd.
 - **ISSN:** 2156-7964
 - **Volume:** 5
 - **Issue:** 2
 - **Pages:** 3-9

Summary Credits: Caren Martin and Denise Guerin
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