

DATE	21 JULY 2023
RESPONSE TO	PROPOSED BLACKPOOL COURTHOUSE SCHEME
ISSUED BY	HMCTS
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ABOUT THE MAGISTRATES' ASSOCIATION

The Magistrates Association is an independent charity and the membership body for the magistracy. We work to promote the sound administration of the law, including by providing guidance, training and support for our members, informing the public about the courts and the role of magistrates, producing and publishing research on key topics

relevant to the magistracy, and contributing to the development and delivery of reforms to the courts and the broader justice system. With over 12,000 members across England and Wales, we are a unique source of information and insight and the only independent voice of the magistracy.



BACKGROUND

HMCTS' consultation lays out plans for a proposed new court building that would house a number of different types of court including Crown, magistrates and family courts.

Our response highlights the need for accessibility provision based in advocacy report 'Inaccessible courts: a barrier to inclusive justice'. We also raise the need for adequate IT provision, and distinction between family and criminal courts and waiting areas.

QUESTION 1

Please use this space to tell us what you like about the plans for the proposed Blackpool Courthouse scheme.

The Magistrates' Association's primary concerns about the proposed Blackpool Courthouse centre on the provision for disabled people with a range of disabilities including cognitive, sensory and physical. We were pleased to see that some reference to accessibility provision was made in the information in the proposal such as accessible car parks for the public, judiciary and staff as well as the provision of accessible toilets for the public.

However, the remainder of our response compiled by the Magistrates' Association's Lancashire branch together with our national office highlights a number of concerns with the plans.

QUESTION 2

Please use this space to tell us what you do not like about the plans for the proposed Blackpool Courthouse scheme

Below we outline a variety of concerns about the proposals below which centre on the accessibility of court buildings. The Magistrates' Association published a report in June 2023 on the accessibility of court buildings- ['Inaccessible courts: a barrier to inclusive justice'](#). We found major failings in the accessibility for the public and judiciary even in new court buildings. We therefore raise potential issues with the new Blackpool court design based on this report.

Inclusive design

The proposals for the new court building must be driven by inclusive design. Access for people with a range of disabilities including sensory, cognitive and physical must be accounted for in the design of the new building.

We recommend that the planners take account of the report by the [Women and Equalities Committee 'Disability and the Built Environment'](#)

Secure car park

Our report found that many court building car parks lacked accessibility features.

We recommend that planners take account of the needs of people with a range of disabilities including sensory and cognitive. For example, adequate car park lights, signage and wayfinding, and marked routes are key accessibility features which must be included in car parks.

Consultation response: proposed Blackpool courthouse scheme

We recommend that planners take account of the need for level access from car parks into the staff and judicial entrance of court buildings. If lifts are required to achieve level access, we recommend that lifts are capable of being operated by judiciary and staff without assistance to reduce the impact on staff resources and maintain the independence of disabled staff and judiciary.

Public transport links

We are conscious that public transport provision is not within the scope of the planning proposal. However, we recommend that planners work with local transport providers to ensure that public transport links are close by and accessible for disabled people.

We also recommend that planners accommodate the needs of people using public transport by providing wayfinding to the closest public transport links and providing waiting areas for those who use public transport.

Judicial entrances and areas

It is important that there is a secure entrance for judiciary and staff. Magistrates must feel safe and secure when conducting their duties. This requires separate entrances and separate parts of the building and routes through the building for the judiciary so that they only come into contact with defendants and other court users in the courtroom itself. Magistrates must not be put in the situation where their security could be compromised.

This secure judicial entrance must be fully accessible for judiciary and staff with a range of disabilities. For example, it must be fully level accessible. The entry mechanism must be suitable for someone who cannot hear (therefore not an intercom system) and entry mechanisms such as fob entry must be placed at heights suitable for wheelchair users.

Level access and accessible entrances must be provided for judiciary as well as the public. Our report found that the judiciary were often poorly provided for in the court estate.

As well as entrances, the building areas used exclusively by staff and judiciary must also be accessible.

Our report recently found that, for disabled magistrates, court buildings often failed to maintain this separation throughout the court building. Where lifts on judicial sides of the building are not provided or break down, we found that magistrates were forced to use public lifts and entrances to navigate the court building. This compromises magistrate's security. It can also reduce the capacity of security staff who may have to accompany the magistrates through the building.

There was also a distinct lack of provision for neurodiversity in many court buildings. It is important for quite private spaces (separate to retiring rooms) are available for use, for example, by autistic people.

Our report found that internal doors were often difficult for disabled magistrates to use. Fire doors are of course often necessary but power assistance or automatic doors for heavy or difficult to use fire doors is vital. Otherwise, disabled magistrates are either not

able to access the building or are reliant on assistance, removing their independence and failing to treat disabled magistrates equally.

Accessible toilets are also vital for the judiciary and the judicial sides of the building. Again, separate provision for the judiciary will be essential in the design of the new court building. Magistrates must not be required to use facilities for the public due to the risk this poses for magistrate's security.

Provision for people with sensory impairments is also vital but we found that these needs were generally poorly provided for in courts. For example, hearing loops must be provided, particularly in court rooms. Where hearing loops are not appropriate in smaller rooms, design should account for other mitigations such as ensuring flooring does not cause echos or loud noises which cause issues for people with hearing impairments who use hearing aids. Other examples include adjustable lighting throughout buildings which can assist people with sight loss and neurodiverse conditions. Wayfinding throughout buildings is also important for neurodiverse people.

The concerns captured above summaries the concerns we have regarding the plan for the new Blackpool courts as the consultation documents did not adequately address the provision for these features or for magistrates as a user group.

Accessibility provision for victims, witnesses, defendants and other court users

Victims, witnesses and practitioners

There is a lack of detail on the specific accessibility provisions which will be provided for court users who use the public entrance and areas. In particular, though the consultation notes accessible toilets will be available there is not information on the provision of quiet private spaces, adaptable lighting, wayfinding, and reduction of excessive noise are all important accessibility features which have not been accounted for in the consultation.

Defendants

Throughout our report we recorded accounts of poor provision for defendants. We urge HMCTS to consider the accessibility provision for defendants in addition to victims, witness, practitioner, staff and magistrates. In particular provision for disabled defendants including those with physical impairments (e.g. lifts from cells must be present), sensory impairments (e.g. provision of hear equipment), and sensory impairment (e.g. adaptable lighting) should all be provided for in the new design.

Maintenance procedures

New court buildings will inevitably require maintenance. We urge the planners to engage in an inclusive design process to minimise the number of adaptations which may later be required to accommodate disabled judiciary, staff and court users.

Where maintenance issues or adjustments are required we recommend that issues are prioritised if they impact accessibility. Where accessibility is affected by a fault this issue must be addressed with urgency.

Distinction between family, adult and youth courts

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It is important to ensure that there are separate areas of the court building dedicated to family, youth and adult criminal court matters. Each jurisdiction has a unique remit and must follow best practice for court entrances, waiting areas and courtroom layout for each. For example, youth court attendees should enter through a separate entrance to adult court attendees (see [Youth Court Bench Book and Magistrates' Association Youth Court Protocol](#)). Similarly, those waiting for family court must have separate waiting areas to allow for pre-court discussions and quiet private spaces ahead of hearings.

IT provision

The Lancashire branch of the Magistrates Association are particularly concerned that connectivity is provided for in the plans for the new building. Judiciary, staff and advocates all must have a reliable internet connection to ensure efficient access to documents. In particular, reliable connections are vital for devices to access Court Store, Common Platform, and sentencing guidelines as the range and ability to use this connectivity can be limited by certain construction methods. There needs to be good signal strength throughout which may require commercial grade boosters to be costed into any plans.

QUESTION 3

Do you have any comments on the information presented on the proposed Blackpool Courthouse scheme that could help us improve for next time?

Provision for magistrates

The consultation does not provide any information on the facilities which will be available for the magistrates, judges or staff who will be using the court building. We urge HMCTS to engage directly with magistrates on the design of the new building to ensure that it is inclusive for all, not merely those using the public or court user entrance.

Provision for hidden disabilities

In general, the consultation information also had minimal information on accessibility features, particularly for people with hidden disabilities such as neurodivergent conditions. For example, wayfinding signs (including braille), quiet private rooms, and adaptable lighting are all important accessibility features but are not referenced in the consultation.