

Portable's Response to the NSW Law Reform Commission: Court and tribunal information: access, disclosure and publication

About us

Portable is a design and technology company that tackles complex problems with government and for-purpose organisations. We are a team of 45 constantly-curious individuals who are passionate about working in areas of social need and policy failure. We are active in conducting research and helping shape policy in areas such as access to justice, mental health, education, government innovation, and the future of death and aging. Among the reports we've published are [Hacking the Bureaucracy](#), [Design For Justice](#), and [The New Infrastructure](#). Visit us at portable.com.au.

Introduction

Thank you for providing us the opportunity to submit to the review of the operation of suppression and non-publication orders and access to information in NSW courts and tribunals. As a design and technology company actively working in this sector across Victoria, Adelaide, and New South Wales, we have extensive experience in researching and developing products to provide better access to court information.

Our submission will address paragraph (g) of the terms of reference which asks, "whether, and to what extent, technology can be used to facilitate access to court and tribunal information" by outlining the need for better wayfinding solutions for courts and tribunals and provide examples of how to display pertinent information through digital ticketing and wayfinding.

The need to improve access to court information through digital ticketing and wayfinding

Some of the most important aspects of a person's experience in attending court is being able to access relevant information about their upcoming hearing and being

able to navigate where they need to go. The stress and uncertainty associated with participating in an opaque and bureaucratic legal system can compound existing trauma for court attendees.

This is why it's so important to provide clear instructions on where participants need to be, how long they will have to wait, and any other relevant information on what to expect from the process. Margeret Hagan from Stanford's Legal Design Lab calls signage a 'make or break initial experience' for citizens attending court and points out that participants in the legal system are underserved by the existing methods of providing information, support, and navigation through bureaucratic procedures and physical spaces.¹

We've been learning from first-hand experiences that the provision of court information could be improved. We found through our user research for a digital court ticketing and wayfinding product that due to a disconnect between conference check in and duty lawyer sign-up, defendants may be called to appear for conference before they are able to speak with a duty lawyer, leading to frustration and missed opportunities to provide better access to justice. Further, the significant delays and lack of information caused anxiety and uncertainty for people waiting to hear any sort of update.

Given that one of the objects of the *Court Information Act 2010* (No 24) is to 'promote consistency in the provision of access to court information across NSW courts', it is imperative that we focus on improving signage to improve access to court information relevant to a person's case. Digital signage and wayfinding tools can also leverage best-practice examples of information provision and be a key part of developing a visual identity and communication strategy that can be rolled out across courts to improve consistency of access to court information.

How wayfinding technology can improve the court system

By increasing certainty, visibility, and streamlining the waiting process, digital wayfinding can reduce confusion and frustration, leading to a better experience for court attendees.² Status updates on public displays are a proven way to increase

¹ Hagan, Margaret D. (2018) "A Human-Centered Design Approach to Access to Justice: Generating New Prototypes and Hypotheses for Intervention to Make Courts User-Friendly," *Indiana Journal of Law and Social Equality*: Vol. 6 : Iss. 2, Article 2, 227. Available at: <https://www.repository.law.indiana.edu/ijlse/vol6/iss2/2>

² For more from Margret Hagan on this, see: <https://medium.com/legal-design-and-innovation/seven-prototypes-to-make-courts-more-user-friendly-5b0f5faca9e5>

visibility of the process and relieve anxiety in court attendees and their support persons, and it can be implemented easily through uptake of existing best-practice design and technology work that is improving experiences in other sectors, like the retail, banking, and medical sectors. There are already multiple success stories of using design and technology to improve wayfinding in courts, such as at the [Red Hook Community Justice Centre](#).

We've been on our own journey to improve the day-of-court experience for Victorians through our work installing [Courtsight in Shepparton Law Courts](#). When a court user walks into a court facility, they undergo the following processes:

- View their name and listing on a public display
- Check in with registry
- Receive SMS updates about where they are in the queue (if they have provided their mobile number at registry)
- Receive updates if they leave the building from court administrators and registry

The digital wayfinding, check-in and ticketing system reduces inefficiencies in the court's processes. Court staff, for example, no longer call parties only to find that they haven't arrived. Digitising the check-in process and ticketing system allows staff to know if everyone's present so matters to be heard can be prioritised. Likewise, for members of the public, the system enhances their own time management, as well as reducing the anxiety associated with attending court. Portable's contribution to the design of the Shepparton Law Courts helped Court Services Victoria towards its Strategic Asset Plan, which aims to make Victorian court and tribunal buildings modern, technology-enabled, safe, secure and sustainable.

Although improving the user experience of courts is a worthy objective in its own right, the efficiency gains resulting from implementing wayfinding systems can also improve resource allocation within the justice system. An economic study by Rivers Economic Consulting estimated that improving information flow across all courts could achieve savings of \$316,000 per courtroom per year. Additional savings of \$454,000 per courtroom arise from reduced legal fees, increases in citizen's productivity, and reductions in staff time (including overtime).

We believe that this opportunity to reassess the provision of information in NSW courts is the perfect time to also consider how technology can be used to improve the court experience and save resources through implementing digital ticketing and wayfinding solutions.