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Titolo	Participation in courts and tribunals : concepts, realities and aspirations // edited by Jessica Jacobson and Penny Cooper
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Descrizione fisica	1 online resource (x, 186 pages) : illustrations
Collana	Bristol shorts research
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Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Includes index.
Nota di contenuto	Front Cover -- Participation in Courts and Tribunals: Concepts, Realities and Aspiration -- Copyright information -- Table of contents -- List of Boxes, Figures and Tables -- Notes on Contributors -- Acknowledgments -- Foreword -- ONE Introduction -- Key messages of this volume -- Investigating participation -- Study parameters -- 'Vulnerability' and 'participation' -- 'Participation' in law and legal procedure -- The study -- Notes -- References -- TWO Policy and Practice Supporting Lay Participation -- Approach -- Vulnerability -- Vulnerability in law -- Vulnerability among court users Evolution of special measures -- In the criminal courts -- Evaluating special measures in the criminal courts -- In the Family Court -- In the Employment Tribunal -- In the Immigration and Asylum Chamber -- Guidance for practitioners and judges -- Equality of arms -- Impacts of legal aid reforms -- Court users' experiences of self-representing -- Court reform programme and access to justice -- Remote court attendance -- Online forms and processes -- Court closures -- Conclusion -- Notes -- References -- THREE Conceptualising Participation -- Introduction Interviews with practitioners: rationale and methodological approach -- What is participation? -- Participation entails: providing and eliciting information -- Participation entails: being informed -- Participation entails: being represented -- Participation entails: being protected -- Participation entails: being managed -- Participation entails: being present -- Why does

participation matter? -- Participation is the exercise of legal rights -- Participation enables decision making -- Participation legitimates the judicial process and outcomes Participation provides (potential) therapeutic benefits -- Barriers to and facilitators of participation -- Remote court attendance -- Practitioners as facilitators -- Conclusion -- Notes -- References -- FOUR Observed Realities of Participation -- Introduction -- Observing court proceedings -- Institutional parameters of participation -- Observed commonalities: stories of conflict, loss and disadvantage -- Conflict -- Loss and disadvantage -- Telling the stories of conflict, loss and disadvantage -- Supporting and facilitating participation -- Responsiveness to vulnerabilities and need Assisting litigants-in-person -- Humanising and sympathetic responses -- Translation and disconnection -- Complexity -- Silencing of court users -- Underlining the disparities -- Disconnection -- Conclusion -- Notes -- References -- FIVE Looking Ahead -- Introduction -- International review -- Methodology for the literature search -- Witness intermediaries -- Ground rules hearings -- Court 'facility dogs' -- Pre-recording witness testimony in full -- Specialist hearing suites -- Specialist judicial guidance -- Reflections on innovative support for participation.

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Sommario/riassunto

This significant study reveals how participation is supported in the courts and tribunals of England and Wales. Including reflections on changes to the justice system as a result of the COVID-19 pandemic, it details the socio-structural, environmental, procedural, cultural and personal factors which constrain it.

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