

Experience of Some Countries of The Commonwealth of Nations in Ensuring Criminological Protection of Justice

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ABSTRACT

The article describes the experience of Great Britain, Canada, Australia, and New Zealand in the field of criminological protection of justice. A combination of philosophical, general scientific and specific scientific research methods was used in the preparation of this article to find out which special actors are authorized to carry out such criminological activities, to analyze the powers and guarantees for their exercise to fulfill their tasks. The article reveals the peculiarities of interaction of special actors of ensuring the security of justice with other actors in the system of combating offenses and crimes against justice. The author emphasizes the role of the sheriff, police, and private security companies in ensuring security during the judicial process. The experience of these Commonwealth countries in identifying and counteracting possible threats to the security of justice is analyzed. The purpose of this work was to single out positive foreign experience that may be promising for implementation into the national legislation with the aim of improving activities of the Court Security Service, which is a special subject performing implementation of the function of criminological protection of justice in Ukraine. In particular, firstly, to find out which special entities are authorized to carry out the specified criminological function in certain countries of the British Commonwealth and what powers they have; secondly, what other law enforcement agencies are involved in the mechanism of ensuring criminological protection of justice and what are the features of their interaction with special subjects; thirdly, what measures they take to detect and counter possible threats to the security of justice.

Keywords: criminological protection of justice, judicial protection service of ukraine, court security, court security officers.

ABSTRAK

Artikel tersebut menjelaskan pengalaman Inggris Raya, Kanada, Australia, dan Selandia Baru di bidang perlindungan keadilan kriminologis. Perpaduan metode penelitian ilmiah filosofis, ilmiah umum, dan ilmiah khusus digunakan dalam penyusunan artikel ini untuk mengetahui pelaku khusus mana yang diberi wewenang untuk melakukan kegiatan kriminologi tersebut, untuk menganalisis kewenangan dan jaminan pelaksanaannya dalam memenuhi tugasnya. Pasal tersebut mengungkap kekhasan interaksi aktor-aktor khusus penjaminan keamanan keadilan dengan aktor-aktor lain dalam sistem pemberantasan pelanggaran dan kejahatan terhadap keadilan. Penulis menekankan peran sheriff, polisi, dan perusahaan keamanan swasta dalam menjamin keamanan selama proses peradilan. Pengalaman negara-negara Persemakmuran dalam mengidentifikasi dan melawan kemungkinan ancaman terhadap keamanan keadilan dianalisis. Tujuan dari pekerjaan ini adalah untuk menemukan pengalaman positif luar negeri yang mungkin menjanjikan untuk diterapkan dalam peraturan perundang-undangan nasional dengan tujuan untuk meningkatkan kegiatan Dinas Keamanan Pengadilan, yang merupakan subjek khusus yang menjalankan fungsi perlindungan kriminologis keadilan di Ukraina. Secara khusus, pertama, untuk mengetahui entitas khusus mana yang berwenang menjalankan fungsi kriminologi tertentu di negara-negara tertentu Persemakmuran Inggris dan kewenangan apa yang mereka miliki; kedua, apa saja

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lembaga penegak hukum yang terlibat dalam mekanisme jaminan perlindungan keadilan kriminologis dan apa saja ciri-ciri interaksinya dengan subjek khusus; ketiga, tindakan apa yang mereka ambil untuk mendeteksi dan melawan kemungkinan ancaman terhadap keamanan keadilan.

Kata kunci: perlindungan keadilan kriminologis, layanan perlindungan peradilan ukraina, keamanan pengadilan, petugas keamanan pengadilan.

INTRODUCTION

The protection of justice remains an important topic of the UN Congresses on crime prevention from year to year (Report of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, 2021). Commitment to take all appropriate measures for implementing and guarantying the basic principles of independence of the judiciary approved by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders and endorsed by General Assembly resolutions in 1985 (Basic Principles on the Independence of the Judiciary, 1985), and also implement recommendations of the Committee of Ministers of the Council of Europe to member states on ensuring the protection and strengthening of the independence of judges (Council of Europe, 1994), guaranteeing their safety, in particular, protection of courts and judges who may become or have already become victims of threats or acts of violence (Council of Europe, 2011) has been also undertaken by Ukraine, which aspires to European and Euro-Atlantic integration.

In the difficult conditions of war, protection of justice has become particularly important in the sphere of ensuring the national security of Ukraine, so development of this direction is not possible without taking into account foreign experience. It is on the basis of the best international standards and practices that the directions for further sustainable functioning and development of the justice system in Ukraine have been determined (Law of Ukraine, 2021). Moreover, in June 2023, the National Security and Defense Council of Ukraine (within the frames of significant practical activation of the processes of European and Euro-Atlantic integration of Ukraine) stated that judicial reform, as one of the main pillars of the democratic development of the Ukrainian state, is a key and priority element for the state; it was emphasized that there is a need to comply with modern democratic principles of functioning of the justice system, including the principle of judicial independence (Law of Ukraine, 2023). Well timeliness of the scientific and theoretical development of the chosen issue is also evidenced by the fact that in 2022 the Court Security Service of Ukraine faced a significant increase of 18.5 times in the number of visitors' attempts to bring prohibited items into judicial institutions, including weapons, which are a potential danger to judges and participants in the legal process (Administration of justice: how to promote the security of Ukrainian courts in wartime, 2022), and в in July 2023, the accused made an attempt to escape from custody in the court premises with the help of an explosive device, as a result of the explosion he died on the spot, and two law enforcement officers were injured (About the extraordinary event that occurred on 05 July, 2023 in the Shevchenkivsky District Court of Kyiv and regarding the duration of the trial, 2023).

The purpose of this work is to single out positive foreign experience that may be promising for implementation into the national legislation with the aim of improving activities of the Court Security Service, which is a special subject performing implementation of the function of criminological protection of justice in Ukraine. In particular, firstly, to find out which special entities are authorized to carry out the specified criminological function in certain countries of the British Commonwealth and what powers they have; secondly, what other law enforcement agencies are involved in the mechanism of ensuring criminological protection of justice and what are the features of their interaction with special subjects; thirdly, what measures they take to detect and counter possible threats to the security of justice.

In this article, we will consider the experience of ensuring criminal justice protection of such countries of the Commonwealth as the United Kingdom, Canada, Australia, and New Zealand due to the commonality of their legal systems and belonging to the English law group of the Anglo-American legal family, as well as because they are developed countries with a very high Human Development Index for 2021 (Human Development Index, 2021) and a high standard of living, and New Zealand and Canada are also among the 20 safest countries in the world, ranked 2nd and 12th respectively in the Global Peace Ranking for 2022 (Global Peace Index, 2022).

In Ukraine, since 2019 maintenance of public order in the court, cessation of acts of disrespect for the court, as well as protection of court premises, bodies and institutions of the justice system, performance of functions related to state provision of personal safety of judges and members of their families, court employees, ensuring the safety of participants in court processes in the court has been performed by a new special entity—the Judicial Protection Service, which is a state body in the justice system, accountable to the High Council of Justice and controlled by the State Judicial Administration of Ukraine (Law of Ukraine, 2016). This has led to the scientific interest of scholars in studying the features of its organization and functioning. Security has long been the most fundamental topic of criminology (Froestad, Shearing & Van der Merwe, 2015: 177), and in the context of the issues we are investigating, the greatest relevance and authority belongs to scientific works of such scientists as Beck (it was stated that management of a damage after this damage has occurred, has given way to risk management) (Beck, 1992); Sarre and Prenzler (researched were courtroom security issues in Australia and New Zealand) (Sarre & Prenzler, 2012); Wallace, Blackman and Rowden (emphasized is the need to rethink security strategies for courts and proposed is a typology for designing safer courtroom environments based on the findings of an analysis of the security needs of court users) (Wallace, Blackman & Rowden, 2013); Sarre and Vernon (it is stated that the tasks of the modern justice system consist in identifying reasonably foreseeable risks, as well as in understanding and assessing the security needs of users and court personnel) (Sarre & Vernon, 2013); Froestad, Shearing and Van der Merwe (it is justified that part of the new opinions in criminology and in practical politics are focused on the risks of a wide range of harm) (Froestad, Shearing & Van der Merwe, 2015); Shablysty (the security dimension of criminal law of Ukraine is investigated) (Shablysty, 2015); Williamson (the United States Marshals Service were researched) (Williamson, 2015); Mozol (a set of scientific issues on ensuring criminological security in Ukraine is considered) (Mozol, 2018); Dzhafarova, Ivanova, Zahorodniuk, Zaiets (the emphasis is on the intensification of trends in strengthening the security of entities participating in court proceedings in many countries of the world) (Dzhafarova et al., 2020); Reznik, Utkina, Starinskyi, Isaieva, Kysil (the experience of foreign countries in organising the activities of institutions analogous to the Court Security Service in the United States and Canada is analysed) (Reznik, et al., 2021); Titarenko (the issue of classification and determination of the competence of the Judicial Protection Service of Ukraine in the system of national security entities is investigated) (Titarenko, 2021).

RESEARCH METHOD

The methodological basis of the article is the methods and techniques of scientific cognition, which were used to study the experience of certain Commonwealth countries (Great Britain, Canada, Australia, and New Zealand) in ensuring criminological protection of justice, i.e. activities aimed at forming an effective system of counteracting criminogenic influences and criminal offenses against justice to ensure its independence and practical establishment of the rule of law in the course of judicial proceedings, in

particular, on granting the entity designated to ensure the security of justice the authority to stop and prevent offenses and crimes; its interaction with other entities in the system of countering criminal offenses against justice; early detection and countering possible threats (Khrystova, 2022: 192).

The work combines philosophical, general scientific and specific scientific methods which, when applied in a comprehensive manner, allowed achieving positive research results. In particular, in terms of cognitive capabilities, the use of the dialectical method provides for clarification of the genesis and legal basis for the organization and functioning of Court Security Services and their analogues in the above-mentioned Commonwealth countries, as well as the specifics of their interaction with the police and other law enforcement agencies, which ultimately makes it possible to characterize their current state, identify new trends and determine further prospects for their development in Ukraine.

RESULTS AND DISCUSSION

In England and Wales, court security officers are specially authorized to ensure the conduct of judicial proceedings without interference or delay, to maintain order and ensure the safety of any person in the courthouse. A positive peculiarity is the experience of engaging private security guards to perform this function. Thus, according to Article 51 of Part 4 “Court security” of the Courts Act 2003, court security officers may be not only civil servants of Her Majesty’s Courts and Tribunals Service, but also employees of private security companies working under a contract with the Lord Chancellor (Law of United Kingdom, 2003). This part also sets out the powers of court security officers, which, if necessary, may be exercised by them with reasonable force, including:

1. to search persons who are in or attempting to enter the courthouse and their property; to seize from them items that may endanger the maintenance of order or the safety of any person in the courthouse;
2. to keep the handed in or seized items until the person leaves the courthouse, except for knives or any other items that have a blade or are sharpened, made or adapted for use with the purpose to cause bodily harm to a person;
3. not to allow or remove from the courthouse a person who refuses to allow a search on the grounds established by this law or to hand over an item in his/her possession when asked to do so in accordance with the procedure established by law;
4. to restrain any person in the courthouse or exclude or remove any person from the courthouse;
5. to remove any person from the courtroom at the request of a judge or a justice of the peace;
6. on the order of a judge, to search a juror to determine whether he or she is carrying an electronic communication device and seize it if the juror refuses to surrender the device (Part 4 “Court security” of the Courts Act 2003) (Law of United Kingdom, 2003).

In Australia, the safe and orderly functioning of federal courts and tribunals is also ensured by security officers, who are persons appointed to this position by the administrative president of the court or members of the Australian Federal Police or protection officers (as defined in the Australian Federal Police Act 1979); or special protection officers (as defined in that Act) (Article 5 of the Court security Bill 2013) (Law of Australia, 2013).

By comparison, in South Australia, sheriffs are responsible for ensuring security and order in courts, and they have the authority to both appoint sheriff’s officers as security officers (Law of Australia, 1978) and to enter into an agreement with the Commissioner of Police to authorize police officers (without appointment) to exercise the powers of security officers on a temporary basis (Volobueva et al., 2023).

In New South Wales, the sheriff may also appoint a sheriff's officer or any other person licensed to carry out security activities as a security officer (Article 21 of the Court Security Act 2005) (Law of Australia, 2005).

Security officers for courts in the Northern Territory of Australia are: a police officer; a sheriff or sheriff's officer; or a person appointed by the Chief Executive Officer (Section 5 of the Court Security Act 1998) (Law of Australia, 1998).

In Western Australia, in addition to the sheriff, deputy sheriff or family court marshal being a court officer, the chief executive officer of the Department may enter into contracts with the private sector for court security, authorize justice officers to do so, and delegate the commissioner of police (with his or her consent) the power to exercise court security (Law of Australia, 1999).

In Queensland, the provision of security services for buildings leased by the state and used for the state's judicial business is a police function (Section 5 of the State Buildings Protective Security Act 1983) (Law of Australia, 1983).

And in the state of Victoria in Eastern Australia, an authorized officer in relation to any court means a police officer, police custodial officer, protective services officer or a person appointed as an authorized officer (Section 2 of the Court Security Act 1980) (Law of Australia, 1980).

In terms of the powers of special entities ensuring the security of justice in Australia, it is worth noting that in accordance with the Court Security Bill 2013, which modernized the legal framework for security mechanisms for federal courts and tribunals and the Family Court of Western Australia, security officers were granted the power to detain a person (Section 28 "Power to detain a person") in the court premises in order to transfer him or her to the custody of a police officer, as well as in some states and territories, for example, in New South Wales (Section 16 "Powers of arrest" of the Court Security Act, 2005) (Law of Australia, 2005), South Australia (Section 9E "General powers" of the Sheriff's Act 1978) (Law of Australia, 1978), Tasmania (Section 18 of the Court Security Act, 2017), Northern Territory (Section 16 "Arrest" of the Court Security Act, 1998) (Law of Australia, 1998), in Western Australia, the powers in relation to apprehension are vested in a court officer, who is a sheriff, deputy sheriff or family court marshal (Law of Australia, 1999). However, security officers in the courts of the Australian Capital Territory (Law of Australia, 2004) and Victoria (Law of Australia, 1980) do not have such powers.

We also see Australia's experience of vesting special actors with other powers to stop and prevent offenses and crimes against justice as positive (Leheza et al., 2023). For example, in New South Wales and Tasmania, court security officers are authorized to stop and search any vehicle that is about to enter or has already entered the court premises (courtyard, patio, yard, parking lot) (Article 10 of the Court Security Act 2005 (Law of Australia, 2005); Section 12 of the Court Security Act 2017), deny a person with animal access to the court premises or require them to leave the court premises (Article 7a of the Court Security Act, 2005) (Law of Australia, 2005). Court security officers of the Northern Territory may require a person entering or remaining in the court premises to deposit with them a poster or other item that may cause violence, including offensive or threatening or obscene material, or that may disturb the peace or unreasonably cause significant annoyance to another person (Section 11 of the Court Security Act 1998) (Law of Australia, 1998). And in Tasmania, court premises may be closed to members of the public if a security officer considers it necessary for security reasons (Section 9 of the Court Security Act 2017).

It is important that the legislative acts we have reviewed also contain guarantees for the exercise of powers by security officers to meet the security needs of the modern judicial environment. In particular, all legitimate demands of security officers are mandatory, and failure to comply with them is subject to

legal liability (Leheza et al., 2023). Security officers may use coercion (reasonable force) to ensure compliance with their lawful demands.

In Canada, the sheriff of the Federal Court of Appeal and the Federal Court is ex officio marshal of that court, and each deputy sheriff is a deputy marshal of that court (Section 13 of the Federal Courts Act 1985) (Law of Canada, 1985). In the provinces of New Brunswick, Manitoba, Newfoundland and Labrador, court security officers are sheriffs, deputy sheriffs, and police officers or Royal Canadian Mounted Police officers stationed in the provinces (Court Security Act 2014; Court Security Act 2000; Statutes of Newfoundland and Labrador 2010) (Law of Canada, 2014; Law of Canada, 2000; Law of Canada, 2010).

In New Zealand, a special actor of ensuring the security of justice is court security officers, who also received the authority to detain a person (Power to detain) (Articles 19, 19A of the Courts Security Act 1999) for a period not exceeding 4 hours, as well as to handcuff a person (Article 20 of the Courts Security Act 1999) (Law of New Zealand, 1999). The Executive Director may either appoint court security officers in accordance with the Civil Service Act 2020 or, with the written consent of the Minister, enter into a court security contract with them (Articles 4, 5, 6 of the Courts Security Act 1999) (Law of New Zealand, 1999).

The experience of these Commonwealth countries regarding the legal protection of the professional activities of court security officers deserves special attention. For example, legal liability for assaulting and/or obstructing court security officers in the performance of their duties is provided for in England and Wales (Article 57 of Part 4 “Court security” of the Courts Act 2003) (Law of United Kingdom, 2003), New South Wales (Article 24 14 of Court Security Act 2005) (Law of Australia, 2005), the Northern Territory (Article 15 of the Court Security Act 1998) (Law of Australia, 1998), Western Australia (Article 92 of the Court Security and Custodial Services Act 1999) (Law of Australia, 1999), Queensland (Article 29 of Section 4 “Meaning of state building” of the State Buildings Protective Security Act 1983) (Law of Australia, 1983), New Zealand (Article 30 of the Courts Security Act 1999) (Law of New Zealand, 1999).

The role of the sheriff, police, and private security structures in ensuring security during the judicial process and their interaction in countering offenses and crimes against justice deserves special attention (Leheza et al., 2019).

In terms of the validity of changes in the security policy, we consider positive the experience of Deloitte’s internal physical security audit at the offices of the Federal Court of Australia in Brisbane and Sydney in 2011 (two years before the adoption of the Court Security Bill 2013) and taking into account its individual recommendations, as well as the arguments of the presidents of the Commonwealth jurisdictional courts, who expressed concern after consulting with the government on this bill, that the existing court security system does not meet the needs of the modern judicial environment (Biddington, 2013). Moreover, police presence in the courts of Victoria is obligatory. In turn, the Chief Commissioner of Police must ensure the presence of sufficient police officers to ensure order in the court premises at all sessions and direct them, and, at the request of the judge presiding over a particular session, order that additional police officers be present at that session (Section 3A of the Court Security Act 1980) (Law of Australia, 1980).

In Canada, police services or assistance in relation to the security of the courts and their premises and the staff of the Court Service are provided at the request of the president of each court by the Royal Canadian Mounted Police or any other police force that the Governor in Council may appoint (Section 59 of the Federal Courts Act 1985) (Law of Canada, 1985).

In New Zealand, court security officers may, within the limits of their authority, assist police officers solely at their specific request (Section 29 of the Courts Security Act 1999) (Law of New Zealand, 1999). Moreover, the powers of court security officers may be exercised by police officers (Article 34 of the Courts

Security Act 1999) (Law of New Zealand, 1999). In particular, every police officer has and may exercise all or any of the powers and duties conferred by this Act on a court security officer (Leheza et al., 2022).

In Ukraine, the function of ensuring court security is performed by the Court Security Service. However, if necessary, the State Judicial Administration, in coordination with the High Council of Justice, may additionally involve such law enforcement agencies as the National Police and the National Guard to ensure public order. In addition, during martial law, the police were empowered to escort and protect a new category of persons in the courtroom—those accused or sentenced to imprisonment (Article 23 of the Law of Ukraine “On the National Police” 2015) (Law of Ukraine, 2015).

The analysis of the current legislation of these Commonwealth countries showed that in addition to joint security in courts, the main areas of interaction between court security officers and police officers are the transfer of detained (arrested) persons and seized dangerous items (Khrystov et al., 2019).

The experience of legal regulation of the issue of disposal of dangerous items that were not subsequently returned to the person or handed over to the police in accordance with the procedure established by law (e.g., Article 48A of the Court Security Bill 2013) is also positive (Law of Australia, 2013). In addition, security officers may assist custodial officers to prevent a person from escaping from lawful custody (e.g., Section 19 of Court Security Act 2005) (Law of Australia, 2005).

The results of the study show that due to a significant increase in the level of threats, the UK government systematically takes effective measures to improve the personal security of judges, as well as the protection of their homes (BBC News Services, 2017). Thus, a survey of judges conducted by the Judicial Institute of University College London found that in 2016, the majority of them (51%) were concerned about their personal safety related to the performance of their professional duties while working in court, and in 2022 their share significantly decreased to 27%, as well as judges concerned about their personal safety outside of court (from 37% to 19%) and their treatment on social media (from 15% to 8%) (Thomas, 2021: 16; Thomas, 2023: 57).

At the same time, against the backdrop of a significant improvement in 2022 in the indicators of judges' personal security, the deterioration in judges' assessment of court security is a cause for concern. Thus, only 46% of the surveyed judges rated it (court security) as excellent and good compared to 55% in 2020, when this figure increased significantly (+18%) compared to 2016 (Thomas, 2021: 40).

Another issue of concern is the poor physical quality of court buildings, which 30% to 58% of judges in all courts rated as poor/unacceptable (Thomas, 2023: 33). In 2020, a third or more of all judges except First Tier Tribunal Judges rated the physical quality of the building they work in as poor. This is an increase from 2016 when only a third or more circuit, employment and district judges rated the physical quality of the court building as poor (Thomas, 2021: 13).

In Australia, significant progress has been made in making courts safer, mainly through an emphasis on risk management (Sarre & Vernon, 2013: 133). An awareness of the risks in and around court buildings has heightened and security has been addressed accordingly, not just by means of barriers and officers' presence but also by intelligence gathering, informed design work, appropriate training of staff, and the development of manuals and protocols in line with optimal practice models (Sarre & Vernon, 2013: 146).

Special attention should be paid to the experience of regulatory and legal prohibition of possession of firearms and other dangerous items in court premises. For example, possession of weapons in the premises of federal courts and tribunals is an offense punishable by 12 months' imprisonment (Article 38 of the Court Security Bill 2013) (Law of Australia, 2013). Such actions are also an offense in other Commonwealth countries (e.g., Article 10 of the Act Respecting Court Security 2010) (Law of Canada,

2010). In addition, for example, in the courts of Tasmania, police and correctional officers in the exercise of their functions or powers are prohibited from possessing firearms in the principal court premises, namely the courtroom; a part of the premises or a place used to enable a person to appear before the court elsewhere by means of audio or audiovisual communication; a place where an examination, hearing, or collection of evidence is conducted in connection with court proceedings (Section 10 “Possession of a prohibited item” of the Court Security Act 2017) (Law of Australia, 2017).

We also see the experience of expanded interpretation of the definition of “court premises” in the Australian legislation on court security as positive for minimizing the risks of committing these offenses (Yerofieienko et al., 2023). For example, according to the legislation of the State of Victoria, “court premises” should be understood as “any premises occupied in connection with the operation of the court, including the area and immediate surroundings of those premises, adjacent parking lots, adjacent walkways and alleys between or adjacent to the court premises; and court buildings, as well as exit and entry points and stairways to those buildings; or any other place limited to the place where a court is for the time being established and performing the functions or exercising the powers of that court or in connection with the business of the court, including any area in the immediate vicinity of that place” (Section 2 “Definitions” of the Court Security Act 1980) (Law of Australia, 1980). Therefore, there are legal grounds for recognizing as an offense the carrying or possession of dangerous items not only in the courtroom or lobby, but even in the parking lot adjacent to the court building or in any other place in the immediate vicinity of the court (Korniienko et al., 2023).

Similar definitions of “court premises” are contained in the federal law of the Commonwealth of Australia on court security (Section 5 “Definitions” of the Court Security Bill 2013) (Law of Australia, 2013), as well as the Court Security Acts of New South Wales (Section 4 “Definitions” of the Court Security Act 2005) (Law of Australia, 2005) and Tasmania (Section 3 “Interpretation” of the Court Security Act 2017) (Law of Australia, 2017), the Queensland State Buildings Protective Security Act (Section 4 “Meaning of state building” of the State Buildings Protective Security Act 1983) (Law of Australia, 1983), the Australian Capital Territory (Article 40 “Definitions” of the Court Procedures Act 2004) (Law of Australia, 2004), etc.

Legal measures to ensure the protection of confidential information related to court security are also noteworthy. For example, in Tasmania, a security officer may not record, disclose, transmit, or use information about the security, administration of a court or court proceedings that are not open to members of the public, except as necessary for the performance of his or her functions or powers (Section 24 of the Court Security Act 2017) (Law of Australia, 2017).

As a positive experience in the appointment of court security officers, it is worth highlighting the requirement to be able to assess risks among other requirements for their training, proof of identity, and establishment and verification of criminal records. For example, in England and Wales, before a person can be appointed as a court security officer, he or she must provide the Lord Chancellor with documentary evidence that he or she has completed one or more training courses that include the following: duties and powers of a court security officer; risk assessment; safe working practices; stress management in threatening situations; methods of restraining a person and removing him or her from the building. Subsequently, a person appointed as a court security officer may be required to undergo further training on any of the above or other issues (Law of United Kingdom, 2005).

In Australia, in order to be appointed as a security officer, a person who is neither a police officer nor a sheriff's officer must have a security license (Article 9 of the Court Security Bill 2013) (Law of Australia, 2013); Article 21(1)(b) of the Court Security Act 2005 (Law of Australia, 2005), Tasmania (Section 5 of the Court Security Act 2017) (Law of Australia, 2017); Northern Territory (Section 5 of the

Court Security Act 1998) (Law of Australia, 1998), Australian Capital Territory (Article 51(2) of the Court Procedures Act 2004) (Law of Australia, 2004). In New Zealand, every court security officer must complete a training course approved by the Chief Executive (Article 9 of the Courts Security Act 1999) (Law of New Zealand, 1999).

Ukraine also provides training and advanced training for officers of the Court Security Service at the relevant Training Center within the Territorial Department of the Court Security Service in Vinnytsia region, including in the area of justice security risk assessment.

The results of this research provide a comprehensive picture of the experience of Commonwealth countries in protecting safety and security in the judicial environment. By illustrating the role and authority of specific entities, such as court security officers, as well as their interactions with other law enforcement agencies, this study provides an in-depth understanding of effective security protection mechanisms.

In addition, the results of this research highlight the important role of legal regulations in ensuring security in the judicial environment, including law enforcement against security violations and regulations governing the qualifications and training of court security officers. It provides valuable insight into how these countries face the challenges of ensuring security in the judicial environment and establishing appropriate frameworks to protect the rights and interests of all parties involved in the judicial process.

One suggestion for improvement is to include further analysis of the effectiveness of the steps taken by individual countries to improve security in their judicial environments. For example, considering the outcomes of implementing a particular policy, evaluating its impact, and identifying areas where there is a need for further improvement can provide additional insights useful for future policy development.

CONCLUSION

Based on the analysis of the experience of individual countries within the Commonwealth of Nations, including Great Britain, Canada, Australia, and New Zealand, it is evident that these nations predominantly employ specialized entities akin to Ukraine's Judicial Protection Service to oversee criminological activities, granting their personnel sufficient powers and guarantees to fulfill their duties. Moreover, these countries integrate other law enforcement bodies, such as the police, into the mechanism of ensuring criminological protection of justice in coordination with the Ministry of Justice. To enhance the operations of Ukraine's Judicial Protection Service and its collaboration with the National Police and National Guard, adopting certain foreign practices appears promising. These include delegating relevant powers of the Judicial Protection Service to the National Police and National Guard during periods of martial law, engaging private security firms to safeguard court premises when state law enforcement agencies are unable to do so, and enshrining specific powers in legislation, such as superficial inspections of items and vehicles on court premises. Additionally, statutory regulations should address the protection of confidential information concerning court security, disposal of dangerous items, and the implementation of systematic monitoring through internal, independent, and external evaluations involving various entities like the Judicial Protection Service, private sociological services, and scientific laboratories of legal institutions to ensure comprehensive security measures are in place.

To further refine Ukraine's approach to ensuring justice security, it is essential to implement a multifaceted strategy. This involves not only adopting foreign practices, such as delegating powers during martial law and engaging private security services but also enacting statutory regulations governing the powers of Judicial Protection Service employees, including provisions for inspections and protection of

confidential information. Moreover, a comprehensive monitoring framework should be established, encompassing internal audits, independent evaluations, and external assessments conducted by various entities including judicial bodies, sociological services, and academic institutions. These evaluations should involve feedback from judges, court security personnel, law enforcement, and court visitors to continuously improve security measures. By integrating these elements into national legislation and operational procedures, Ukraine can enhance the effectiveness of its justice security mechanisms, ensuring the protection of its judicial system and stakeholders even in times of crisis.

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