

Independent assessment for continuous improvement

# Public Information Booklet

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How good is the service provided for  
defendants by the Courts' Service in Cheshire?

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November 2005



## Quality of Service for Defendants in Cheshire

Defendants are people who are charged with a crime, and who are called to court for their case to be heard. We have recently looked at what kind of service is being provided by the courts in Cheshire for people who have to come to court as a defendant in a criminal case.

We looked at:

- what kind of facilities are provided at the courthouses;
- whether the information given is useful and helps make the experience easier;
- how well people are treated when they come to court;
- how long people have to wait; and
- whether the needs of all types of defendants are taken into account.

We also looked at the way the service is organised to see whether everything is being done to make sure that all

defendants, including children and those in custody, feel safe. This booklet tells you what we found.

We visited the ten courthouses that deal with criminal cases in Cheshire in November 2005. They are the Crown Courts sitting at Chester, Knutsford and Warrington and the six magistrates' courts at Chester, Crewe, Macclesfield (also sitting at the County Court in Macclesfield,) Northwich, Runcorn, and Warrington. We are pleased to say that, overall, we found the service provided to defendants is satisfactory. We also found some things that we think could be improved.

Our inspection took place soon after a major change to the way the courts are managed. In April 2005 the management of all the courts (magistrates, Crown and county) were joined together into a new organisation called Her Majesty's Courts' Service (HMCS for short). We looked at how well HMCS was taking responsibility for providing services to defendants at the ten courthouses we visited.



## How comfortable, safe and private the court buildings are

Court buildings in Cheshire range from the modern, purpose-built Warrington Combined Court centre to the Crown Court sitting in Chester's historical castle, and from modern, purpose-built magistrates' courts like the one in Chester to older buildings which have been adapted as courts, like that at Macclesfield. Some of the magistrates' courts are in buildings which would cost a lot of money to bring up to the best modern standards. The Area deserves great credit for maintaining and improving its court buildings and facilities over the years, despite the limitations of the buildings and funding. For example, Macclesfield magistrates' court is not very suitable for a court building, but HMCS does the best it can to provide adequate facilities there. The Area would like to replace some of its buildings when funds are available.



Although the buildings vary widely, HMCS manages successfully to provide facilities for defendants which are often good and always adequate. Although some of the court buildings have real limitations, the staff in the Area are a great asset and play a key part in ensuring that facilities for defendants are as good as they can be. All the court buildings which hear criminal cases are accessible to defendants, including defendants with disabilities.

Defendants usually have to wait for a time when they attend court for a hearing, though the Area tries to keep waiting times on the day to a minimum. Average waiting times at court for defendants in Cheshire are generally shorter than the average waiting times at courts in England and Wales as a whole, and this is helpful. Sometimes, people may have to wait longer than an hour and it is important that court buildings provide adequate comfort and appropriate privacy for defendants, including young people and those in custody. In Cheshire, all the waiting areas are adequate, though some are more comfortable than others, and some (but not all) waiting areas provide ways to help defendants to pass the time.

The courts make special efforts to keep young defendants separate from adult defendants, mainly by arranging to hear young defendants' cases on different days to adult cases, and also by providing separate entrances and waiting areas where they can, though this isn't always possible.

The courts try to deal with cases involving defendants in custody as soon as possible, which usually means when the defendant has seen his or her solicitor, so as to keep waiting times for defendants in custody to a minimum.

When defendants have to wait at court, access to refreshments can be helpful. At Chester and Warrington Crown Court centres, cafes are provided for court users. At Chester magistrates' court, a local hospice runs the café and raises funds – a good arrangement which is appreciated by all court users, including defendants. Refreshment facilities in other courthouses are more

limited but all magistrates' courts have vending machines in public areas, as well as generally good access to local shops.

Some defendants are remanded in custody while their case proceeds. In Cheshire, we found custody areas are well kept. It was planned to decorate some of the cells in the near future, including those at Chester Crown Court which had quite a lot of graffiti. Cells in other court custody areas were largely clear of graffiti. For defendants in custody, the custody contractor provides refreshments. At Chester and Warrington magistrates' courts, prison videolink (PVL) equipment is available. This can be a useful way of hearing cases, when appropriate, without the defendant having to travel, perhaps for hundreds of miles, from prison to the court building for the hearing. Defendants can also talk with their solicitor using the prison videolink. Managers would like to increase the availability of PVL equipment.

Many defendants, including those in custody, need to see their legal representative before their case is heard. All of the court buildings which hear criminal cases have some interview rooms where defendants can talk privately, though at some buildings this provision is limited. This is particularly so at busy times. Managers would like to provide better facilities, for example more interview rooms, or more separate entrances and waiting areas for defendants and witnesses. But space is limited in the court buildings, and so is funding.

We were pleased to find that public waiting areas and custody areas in all court buildings, including toilet areas, were usually very clean. This simple fact matters a lot to people who use the buildings.

It is important that court buildings provide appropriate safety and security for defendants and other court users. In Cheshire, all court staff give serious attention to health and safety, and the arrangements are regularly reviewed. All the court buildings have benefited from investment in a wide range of security measures in recent years – for example, to install secure docks and personal alarms.

## How well staff treat people

In Cheshire, defendants are treated well. All staff provide a professional, courteous and helpful service to defendants.

Customer service plays an important part in the Area's plans for the future. We saw the initial benefits of HMCS's work towards achieving Chartermark. HMCS has set up Customer Service groups, and local staff are involved in and enthusiastic about this work, which is helping staff increasingly to see defendants as customers. In the past, staff at all the courts had useful training programmes. But since April 2005, training for staff, particularly at the magistrates' courts, has lost momentum, which is disappointing. This is a problem all over the country, and staff are understandably concerned about it. The Cheshire Area Director is leading an important project for the whole of the Wales and Cheshire Region of the courts, aimed at making training better.

In Cheshire, legal and administrative staff are sensitive to defendants' needs at court. We were pleased to see staff giving special help to defendants who needed it. Defendants' needs can be of various kinds and there are several stages when court staff can find out about particular needs. Mostly, staff think such needs are identified and met. For example, if a defendant needs an interpreter the police should find out about this at an early stage. But sometimes this doesn't happen, and staff may have to try to react on the day. This can mean that the case has to be postponed to another day. We think there should be a more systematic way, involving all the criminal justice agencies, of identifying defendants' needs.

Most defendants say they want their cases finished quickly. HMCS in Cheshire achieves its targets for completing most cases, including those involving young offenders. But the time taken to complete adult trials has been a problem for a couple of years, especially at courts where lots of trials are held. Cheshire Area already tries to make flexible use of court buildings across the whole Area, to help reduce delays at the busiest courts. We are

pleased that managers have been looking for ways to improve performance and reduce delays, and have encouraged them to continue to do so.

All HMCS Areas, with partner agencies, set targets to reduce the number of trials which have to be put off to another day. Overall, Cheshire Area generally performs well on this target in magistrates' courts, and very well in the Crown Court. But some magistrates' courts have to put off cases more often than others. The magistrates' court at Runcorn in the North of the Area has the most problems with this target. HMCS staff are trying to improve this and we have encouraged them to do so.

HMCS works well with other criminal justice agencies, and with the barristers and solicitors who represent defendants, to try to improve services where possible. Staff also make special efforts to help defendants who are not represented by lawyers to understand what will happen in court.

It's important that defendants attend court for their hearings. When they don't attend, a "Fail to Attend" warrant is sent by the court to the police. We were pleased to find that HMCS in Cheshire is using some new notices that explain clearly why defendants must attend court at the right time and what will happen if they do not.



## How well defendants are helped to understand what happens in court

People attending court as defendants need information before they arrive, and once they are there, to help them understand and participate in court proceedings. HMCS is working on a helpful new leaflet to be sent to defendants before they come to court. But it can't currently be sure that the police are giving its leaflets to every person in Cheshire who is charged and has to come to court.

All the court buildings have useful information for defendants, which is put up on notice boards or is contained in leaflets which are available in courthouses. Public information for defendants is good at the main Crown Court centres. We think that some aspects of public information at the magistrates' courts can be improved, including direction signs outside the courts. There could also be more information inside the court buildings, provided in a variety of languages, and information on how the courts perform. The Cheshire courts generally do well in customer service surveys, and it would be useful to show defendants and other people in the court what the surveys found.

HMCS recognises how important front-line staff like ushers are to good customer service and has increased their number at some courts. Ushers do a vital job, providing information and dealing with enquiries, as well as helping in the courtrooms. When the courts are very busy, so are the ushers, and there is less time for them to keep defendants informed, for example about waiting times and the reason for any delays.

The new HMCS complaints and feedback system is advertised at all the courts. Court staff respond quickly to complaints and feedback, and we were pleased to find complaints and feedback being used to improve services. Some courts have put up useful information about how quickly they respond to feedback they have received under the new system. When we visited the

courts, however, HMCS had not yet got a supply of leaflets and dispensers to make it easier for people to provide feedback.

Defendants who give evidence in court need to take an oath or make an affirmation to tell the truth. Court staff ask defendants about their choice of oath or affirmation before they go into court. HMCS nationally has produced useful new guidance on oath-taking arrangements. The arrangements in Cheshire have been improved recently, but we think they can still be better. HMCS agrees and has plans to make further improvements, and to look at other aspects of diversity such as the provision of information at courthouses in a variety of languages.

## Conclusion

HMCS is a new organisation, which is still settling in. It is good that services to defendants have not suffered during the changeover. We are also pleased that the new management has agreed to make changes where we have asked for improvements.



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