

Independent assessment for continuous improvement

Public Information Booklet

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

February 2006



Quality of service for defendants in Cumbria

Defendants are people who have been 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 in Cumbria 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 seven courthouses that deal with criminal cases in Cumbria in January and February 2006. They are Carlisle Combined Court (which deals with the more serious Crown Court cases) and the six magistrates' courts at Barrow in Furness, Carlisle, Kendal, Penrith, Whitehaven and Workington. We are pleased to say that, overall, we found the service provided to defendants is good. 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 over responsibility for providing services to defendants and their witnesses at the seven courthouses we visited.



How comfortable, safe and private the court buildings are

There is a range of court buildings in use in Cumbria. Most have been built quite recently, like the magistrates' courts at Barrow and Kendal, while some are older, like Carlisle magistrates' court. The courthouses generally provide a good level of facilities and comfort for defendants and their supporters.

All the courthouses are accessible for defendants. However, access to and from custody areas, and from those areas to courtrooms, is more limited for those who have walking difficulties or use a wheelchair. HMCS will try and make sure that cases will be transferred to other courts if this is an issue.

We found the courthouses to be clean, light and graffiti-free and the public areas generally pleasant places to wait. Vending machines usually provide a range of snacks and hot and cold drinks in most courthouses. There are small café areas in Carlisle combined court and Workington magistrates' court, although the café at Workington will soon be closing to provide enhanced facilities for witnesses. Vending machines have been installed at Workington.



All courthouses have facilities available for defendants to meet their solicitors. HMCS has called many of the rooms “multi-purpose rooms”. This means that any free room can be used for private discussions and ensures best use is made of the accommodation. Only in Carlisle magistrates' court were there not enough suitable rooms for interviews. In some cell areas, however, there are limited interview facilities, which can make it difficult for solicitors to speak in private to defendants in custody. Some interview rooms and other private facilities were not well enough soundproofed and we have asked HMCS to review this.

HMCS in Cumbria is very active in making sure that any defence witness who attends court will be offered support by the Witness Service (an independent charity that looks after witnesses in court). HMCS has good links with the Witness Service in Cumbria at all levels. In Barrow in Furness, signs are displayed advertising the service for defence witnesses, and we think that these signs are good. HMCS has recognised the need for more accommodation to be provided for witnesses (and defence witnesses in particular) and has plans to do this at Barrow, Carlisle and Workington magistrates' courts.

There are ways of ensuring the safety and security of defendants in each courthouse. HMCS makes it clear to everyone coming into its buildings that they will be searched, and information about searching and security is clearly displayed. Searches are conducted thoroughly, but courteously. In several places, there is a visible security presence throughout the courthouse, which helps promote security in all public areas. But there are certain improvements that could be made and we have asked HMCS to consider these.

In January 2005, the magistrates' court in Carlisle was seriously flooded, and the custody area severely damaged. HMCS made good arrangements to ensure that cases continued to be heard in the City by using other court facilities, and this meant that defendants did not have to travel long distances. Although the

custody facilities have not yet reopened, HMCS has made sure that all custody cases can be heard at the nearest courthouse in Penrith, which means that families and solicitors suffer as little disruption as possible.

HMCS also makes good use of its courthouses by arranging for all matters involving young people to be heard on different days from those involving adults. This makes sure that young people have privacy when they have to attend court.

Because Cumbria is a long way from the prisons where defendants stay when they are in custody, prisoners face a long journey and early starts if they need to come to court. HMCS has video links available to make sure that appearances in court are only made when necessary. HMCS works well with defence solicitors and custody staff to make sure that defendants in custody are given appropriate priority on the day and are seen as soon as possible.

How well staff treat people

The staff employed by HMCS are excellent. They treat defendants with courtesy and respect, and we saw many good examples of this while we were in courthouses. We also saw clear signs of a commitment to excellent service for defendants from the leadership of HMCS in Cumbria.

HMCS has worked hard with partner agencies in the criminal justice system to try and improve in areas such as the length of time it takes for trials to come to court and how long people have to wait on the day. We are pleased to say that Cumbria performs well in these categories, and is among the top ten Areas in England and Wales. When problems occur, action is taken quickly to put things right. There are regular meetings between HMCS and other agencies to make sure that everyone works together to give good service. HMCS has also worked hard to make sure that defence solicitors are involved and there are regular meetings to discuss ways to improve service.

Generally, defendants do not have to wait long on the day for their court appearances in Cumbria. There are some differences across the county, with waiting times almost twice as long in Carlisle magistrates' court than Whitehaven magistrates' court, but the average waiting time is very good. Some defendants, though, told us that they were not given enough information about how long they would have to wait. We have suggested to HMCS that it looks at ways to improve how it gives information about waiting times to defendants on the day.

Some defendants may have difficulty dealing with drugs or alcohol, or may have some mental health issues. Although HMCS has some arrangements with local health care providers to help people, there is not the same focus on these issues in each court. HMCS has agreed to look at the links it has with the health care providers so that it can deliver a better service for those who may need it.

Staff have been trained to deal with people according to their individual needs. But this training was some time ago, and we are pleased that, with the other criminal justice agencies in Cumbria, new and comprehensive guidance has been issued describing different religions and cultures.



How well defendants are helped to understand what happens in court

It is important for people attending courts as defendants to feel comfortable about what will happen when they get there and to be given help if they need it. Cumbria does some of these things very well, but there are still areas in which it can provide an even better service.

When defendants are called to appear in court, they receive a leaflet which gives them information about what will happen. We think that these leaflets are excellent. Each magistrates' court has one specifically written about it, giving important information such as the facilities provided, where to park, contact details and security procedures. The leaflets also contain maps, which we thought were easy to use to find the courthouses. There is also a great deal of information about what to do before coming to court and what will happen during the hearing. We also saw leaflets written for disabled court users which provided detailed information about each courthouse.



Within each courthouse, information is clearly presented. Notice boards are easy to read and do not have too much information on them, and new display signs have been introduced into several places which make it easy for people to find their way around the courthouse.

Although most people in Cumbria speak English as their first language, all courthouses have access to a service called Language Line. This service provides an interpreter over the telephone so that people can make themselves understood. Interpreters are also provided for hearings, although we have asked HMCS to ensure that they are provided in accordance with guidelines, as this is not done in every case. There is very little written information provided in languages other than English. As the population of Cumbria changes, HMCS will need to consider how to provide this information.

When appearing in court, defendants have the choice of swearing an oath or affirming. If swearing an oath, they will need to be provided with the correct holy book for their religion. We found that most courts could only provide a very limited selection of holy books, and we have recommended to HMCS that it considers which holy books it should provide. There is also little information provided in the public waiting areas about the choice of swearing an oath or affirming. It would help defendants to decide what they wished to do if they could see this information before going into court. We also saw varying practices in different courthouses when people swore an oath.

It is helpful for defendants if they know the role of each person who is in court, and where they will be sitting. For example, probation officers will often be in one part of the court and the press in another. An easy way to do this is to display a diagram of each courtroom, showing where people sit and what they do, or they can have a plate in front of them in court telling everyone what their job is. This doesn't happen in Cumbria. We have suggested to managers that they consider introducing this

information and have given them examples of how it is provided in other Areas.

Sometimes people want to give feedback on how they have been treated or what they think of the facilities. HMCS provides information in each courthouse on how to make comments, and leaflets and feedback sheets are available if required. But verbal feedback is not always recorded and logged. Although HMCS uses comments to improve service, with the exception of the combined court centre in Carlisle, no information is displayed on what comments have been received or what changes HMCS has made in response.

HMCS regularly reviews its performance and uses the information to ensure that performance continues to improve. But there is little information published in courthouses about how well HMCS in Cumbria is performing. As the performance is good, we think that this information should be available. HMCS has agreed to consider what information is provided in its courthouses.

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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