

Independent assessment for continuous improvement

Public Information Booklet

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

July 2006



- 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 12 courthouses that deal with criminal cases in Essex in May and June 2006. These are the magistrates' courts at Basildon, Chelmsford, Colchester, Epping, Grays, Harlow, Harwich, Southend and Witham, and the Crown Court sitting at Basildon, Chelmsford and Southend. We also visited the Central Magistrates' Courts Administration Unit in Chelmsford. We are pleased to say that, overall, we found the service provided to defendants is excellent. We also found a few things that we think could be improved.

Quality of Service for Defendants in Essex

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 by the courts 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 comfortable, safe and private the court buildings are

Some courthouses offer excellent facilities and all but two courthouses in Essex provide a good basic level of facilities and comfort for defendants. The two exceptions are Chelmsford and Colchester Magistrates' Courts where the facilities do not always meet the privacy and comfort needs of defendants. Essex courthouses vary in their size, age and condition. Some are well designed and maintained and provide a pleasant and practical setting. Others are not so well designed but staff work very hard to make the most of the facilities they have. HMCS recognises the problems and has plans in place to build specially designed, modern courthouses to replace some of its poorer buildings.

Two Magistrates' Courts in Essex are in shared, listed buildings. Colchester Magistrates' Court is in the Town Hall and Chelmsford Magistrates' Court is in the Shire Hall. This means that there are tight limits on how far these courthouses can be improved, and they are expensive to maintain.

Essex court buildings offer generally good levels of comfort and facilities. Some of the smaller courthouses do not have enough rooms where defendants can talk privately with their legal representatives – including Harwich, Colchester and Chelmsford Magistrates' Courts. Access for defendants in wheelchairs is possible at all courthouses across the Area. And if staff are told in advance, special arrangements can be made to help disabled court users. Some signs in the courthouses are in Braille. Each courthouse has at least one courtroom with a hearing loop. It is harder to meet the needs of defendants with disabilities who are in custody, in particular those in wheelchairs. This sometimes means that the route from the cells to the courtrooms has to cross public waiting areas. Where possible the Area will try to allocate cases to access friendly courts.

We like to see facilities that allow people on different sides of a case to wait in separate areas. This is even more important when young people are involved. The Area has separate court days for young defendants so that they do not wait in the same areas as people attending court for adult cases. There are waiting areas for vulnerable defendants and their witnesses in some courts. Where these are not available, court staff will find separate and secure waiting areas for those who request it.

Inspectors found some courthouses offer excellent levels of security, where everyone who enters a court building is searched thoroughly, yet politely. But, we think that there are some aspects of health and safety, and security procedures, which could be made better, and we have asked HMCS to improve these.

At all courthouses in Essex some kind of refreshment is available. This is important, especially when defendants have to wait for their case to begin. At Chelmsford and Basildon Crown Courts, and at the Southend Crown and Magistrates' Courts, cafeterias serving hot and cold food and drinks are open from 9.30am to 2.30pm. At Witham Magistrates' Court, Victim Support runs a small café selling hot and cold drinks and snacks. Similarly, refreshments are provided by the WRVS at Basildon. These are good examples of HMCS working with others to help everyone attending court.



How well staff treat people

Staff in Essex consider good customer service a very important part of their job. At all times defendants were treated well and with respect, and we often saw court staff going out of their way to help defendants.

Staff are usually available to help defendants as they arrive at the courthouse and assist with any enquiries. Staff try to help if people tell them of any special difficulties – such as understanding forms. Ushers are easy to identify as they all wear black gowns and a badge with either their name or “usher” on it.

Each courthouse has a court customer services officer who help to make sure the courthouse runs properly. There are notices displayed in all courts about how to make complaints or provide feedback, but it is not always easy to find the forms to do this. We are pleased to hear about plans to put boxes in courthouses so that you can tell the court what you think without giving your name if you don't want. We were also pleased to find that changes have been made to improve services following feedback from court users.

Defendants can wait a long time before their case is called into court. In Essex, waiting times on the day for defendants are shorter than in most other Areas. Staff do their best to tell defendants how long they may have to wait before they will go into court. This also happens for those waiting in the cells.

At all courthouses in Essex, defendants in custody, who may have mental health difficulties, can see medical staff who visit on a daily basis. We were very pleased to find this service available and working well at all Essex courts.

How well defendants are helped to understand what happens in court

There is a helpful leaflet for defendants attending adult courts and another for people attending youth courts. There are helpful notices in some courts explaining what you should expect when you are at the court and inside the courtroom. At all courthouses there were useful notices showing the layout of a courtroom so that it is easy to know who the different people are and where they will be sitting. At all courthouses there was someone at reception to record names and point people in the right direction so that they were waiting outside the right courtroom. At one court there was a good floor plan so that you could easily see where things were – for example, the courtrooms, the toilets and vending machines – and also where the fire exits were. The Area plans to have these in all courthouses so defendants will be able to find their way around without having to ask.



HMCS staff in Essex are very good at making sure that a defendant understands what is happening in the courtroom and giving clear explanations. This is very important for young defendants, especially those attending for the first time, and for defendants who do not have a solicitor.

Ushers and other staff make efforts to find out if a defendant has any special needs, such as a difficulty with hearing.

The Area is always trying to improve its services. This includes trying to shorten the time it takes for a hearing date to be fixed, and how long a defendant has to wait on the day. It also tries hard to make sure that hearings go ahead as planned. HMCS in Essex works well with other agencies to improve its performance in each of these areas.



Defendants have to take an oath, or affirm that they will tell the truth, when they give evidence in court. We were pleased to hear staff explain to defendants how to take an oath or affirmation, before entering the courtroom, which we think is the best time to do this. Staff are helpful to defendants in finding which holy book defendants wanted to swear on, or if they preferred to affirm instead. But sometimes the way people were asked was a bit awkward.

Court staff are good at arranging for interpreters to be present when they are needed, and do their best to find an interpreter on the day when defendants or their witnesses come to court for the first time.

There is a good range of information displayed in the Crown Court at Basildon and Chelmsford, and at the Southend and Basildon Magistrates' Courts. Some courts provide information packs, which can also be requested in advance. Some information can be made available on CD so that it can be listened to rather than read, which we think is a good idea. But we were disappointed that information for the public is not often available in the different languages used by people in Essex.

At several of the courthouses a video link is available for use so that defendants in custody can take part in some hearings without leaving prison.

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 accepted our suggestions for making improvements to their services to defendants.



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