

## Courts Charter - Magistrates' Courts

This leaflet sets out the standard of service you can expect from any Magistrates' Court in England and Wales in relation to Criminal work. We have set these standards after talking to people who have used the court. We aim to provide an excellent, courteous service and when you come to court you can expect fair and equal treatment, no matter what your age, ethnic origin, sexual orientation, disability, gender or religious beliefs.

This Charter is about the administration of the court and not the decisions made by magistrates. You may be able to appeal to a higher court if you are unhappy about the outcome of your case. If you want to do so you should obtain legal advice. Please note that court staff are unable to give legal advice to customers.

### If you are coming to court

When you are first asked to come to court, we, the prosecution or defence will provide:

- a map of how to get to court;
- details of public transport and any car parks near the court;
- details of the times the court is open;
- information on the availability of refreshments, telephones, separate waiting areas etc;
- the contact details of the Customer Service or appropriate Court Officer.

Before the date of your hearing you can:

- ask to visit a court room;
- ask us to arrange seats in the court room or public gallery (if we can) for anyone who comes to your hearing with you. However, this is not always possible. For example in the youth court only the parent or guardian and solicitor are allowed in the hearing.

If you require an interpreter for the court hearing please inform the Listings Officer immediately as soon as you know your hearing date. If you have a disability and need help at your court hearing, please speak to the Customer Service or Disabled Persons Officer who will tell you how we can help you.

Please note that smoking is strictly prohibited in any part of our buildings.

The magistrates' court will often have a separate "Admin Centre" or "Fixed Penalty Unit" to the courthouse. At the courthouse there is normally an enquiry point open from 9am on days when there are hearings. The public counter in the Admin Centre is normally open from 10am to 4pm although locally some may be open for longer than this national minimum standard.

When you visit you will find:

- courteous, polite, helpful staff wearing identity badges;
- clear signs to help you find your way around;
- a duty solicitor is generally available for defendants who are eligible for this assistance when a criminal court is sitting;
- information leaflets on display and a list of adult criminal cases to be heard that day;
- a notice giving details of the Customer Service Officer or Courthouse Manager who will be pleased to help you with any special needs, suggestions or complaints.

When you go to the public counter or enquiry point we will:

- respect your privacy;
- talk to you out of the hearing of other members of the public, if you prefer;
- use simple clear language and ensure all technical terms are explained;
- attend to your enquiry within 10 minutes or explain the delay if you have to wait longer.

You can contact us by phone Monday to Friday between 9am and 5pm and we will:

- answer the phone promptly and helpfully;
- give the name of the person you are speaking to;
- give you a clear and helpful answer;
- ensure that if the office is closed for any reason an answerphone will take your message and we will return your call the next working day.

When you write to the court, and we need to reply, we will:

- write to you or phone you within 10 working days of receiving your letter;
- tell you who is writing and provide a phone number to contact them if you wish.

## **Court hearings**

Hearings are arranged as quickly as possible and for criminal “charge” cases we aim to:

- have no more than 5 working days between the start of proceedings against an adult and the first appearance in court;
- have no more than 7 working days between the start of proceedings against a youth and the first appearance in a youth court.

For “summons” cases we aim for the hearing to be arranged for no more than 28 working days between issue of the summons and the first appearance in court.

If we have to change the date of your hearing, we will let you know as soon as possible.

We will arrange hearings to prevent contact between youth and adult proceedings and family and criminal cases wherever possible.

## **Waiting at court**

You shouldn't have to wait more than 1 hour from the time you are asked to attend to when you are called to give evidence. However, delays are sometimes unavoidable, for example if the case before yours takes longer than planned.

If you have to wait we will ensure that:

- you are told regularly how much longer you may have to wait and the reason for the delay;
- you are told as quickly as possible, through the people who called you as a witness, if your case cannot be heard that day.

For witnesses we will also seek to:

- provide separate waiting areas where possible;
- consider arrangements for you to wait apart from other parties if there isn't a separate area. Please ask the court staff if you would prefer this.

## **Our service for child and vulnerable / intimidated adult witnesses**

We know that giving evidence in court can be very difficult and stressful for a child or vulnerable / intimidated adult witness so we will:

- arrange to have any case involving a child or vulnerable / intimidated adult witness heard as soon as possible;
- ensure the Witness Service or other support agency meets children and their companions or vulnerable / intimidated adults when they come to court and takes them to a private waiting area away from the defendant;
- explain how we do things in court and answer any questions.

The judge, magistrate or district judge may let such witnesses give evidence using a Video Link. If they do, we can arrange for the witness to see the room and how the equipment works before the trial. If you want to know whether a Video Link may be used, please ask the solicitors involved in your case. Applications for such "special measures" are made formally in advance of the trial.

## **Witness Service**

The Witness Service is run by the independent charity, Victim Support, and helps victims, prosecution and defence witnesses and their families before, during and after the hearing. Trained volunteers in every magistrate and youth court give free and confidential support and practical information about how we do things in court. They will not offer an opinion on the case or discuss the crime. They will normally get in touch with you before the court hearing to offer their help.

The help they offer includes:

- arranging a visit to court before the hearing;
- arranging for someone to go into the court room with you if you have to give evidence;
- giving you the chance to talk over the case after it's ended and advising where to get more help or information.

If you would like help, or if you'd like to volunteer for the Witness Service, you can contact them at:

Victim Support National Office,  
Cranmer House,  
39 Brixton Road,  
London SW9 6DZ

Telephone: 020 7735 9166  
email: [contact@victimsupport.org.uk](mailto:contact@victimsupport.org.uk)  
website: [www.victimsupport.org.uk](http://www.victimsupport.org.uk)

At court you will probably come into contact with people from the police, National Probation Service and Crown Prosecution Service. Although we aren't responsible for the services they provide, you may get information about them from the court.

## **Crown Prosecution Service**

This organisation decides if crimes investigated by the police should go to court. If they do, the CPS is responsible for the prosecution case. You can contact them at:

Crown Prosecution Service,  
50 Ludgate Hill,  
London EC4M 7EX

Telephone: 020 7796 8000  
email: [enquiries@cps.gsi.gov.uk](mailto:enquiries@cps.gsi.gov.uk)  
website: [www.cps.gov.uk](http://www.cps.gov.uk)

Authorities such as the HM Revenue & Customs can also bring prosecutions. Please ask our staff for more details.

## **National Probation Service**

National Probation Directorate,  
1st Floor,  
Abell House,  
John Islip Street,  
London SW1P 4LH

email: [npd.publicenquiry@homeoffice.gsi.gov.uk](mailto:npd.publicenquiry@homeoffice.gsi.gov.uk)  
website: [www.probation.homeoffice.gov.uk](http://www.probation.homeoffice.gov.uk)

## **If you are a defendant**

If you are on bail, and you require it, we will send you or your solicitor a copy of this Charter.

If you don't have a solicitor and require an interpreter for the court hearing please inform the Listings Officer at the court as soon as you know your hearing date.

If you cannot hear very well and you need help at your court hearing, or if you have any other special needs, please speak to the Customer Service, or Listings Officer who will tell you how we can help you.

We try to arrange hearings as quickly as possible. We are trying to reduce delays, but many things can affect how soon we can arrange the hearing, so we cannot guarantee when your case will be heard. We do give priority to hearings for defendants in custody.

## **Criminal Defence Service**

You may be able to get legal aid to help pay your legal fees for representation. You can find out by contacting:

The Legal Services Commission,  
85 Grays Inn Road,  
London WC1X 8TX

Telephone: 020 7759 0000

email addresses for regional offices are on their website: [www.legalservices.gov.uk](http://www.legalservices.gov.uk)

## **Community Legal Service**

CLS Direct, a free government funded service, will provide information on where you can obtain the type of legal advice you need.

Telephone: 0845 345 4345

website: [www.clsdirect.org.uk](http://www.clsdirect.org.uk)

## **Citizens Advice Bureau**

The CAB gives free, confidential, impartial and independent advice on a wide range of subjects. The phone number and address of the local office will be displayed in the court.

website: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

## Listening to you

We welcome your comments and suggestions on how we could improve our service to you. We do this by:

- inviting you to fill in comment cards;
- carrying out local surveys;
- paying attention to all comments, complaints and suggestions;
- displaying information about our performance;
- displaying details in court waiting areas of complaints and suggestions and what we have done to make improvements as a result of your feedback;
- displaying results of local surveys and changes we have made because of them.

If you have a complaint, please tell us as soon as possible and we will do our best to sort out the problem there and then. If you are still not happy, you can speak to the Customer Service Officer or Courthouse Manager. If you prefer, you can write to the Courthouse Manager of the court in question.

We aim to resolve and respond to the complaint, giving you a full answer within 5 working days of receipt.

A leaflet called “I want to complain – what should I do” is available in every court. For more information please ask one of the court staff or visit our website at:

[www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

We welcome suggestions and compliments too.

Whilst we can investigate complaints about how a magistrate or judge behaved in court we cannot investigate anything to do with their judgment, their assessment of a case or overturn any of their decisions.

Information about how to make a complaint about the personal conduct of magistrates and judges is available on the web:

[www.judicialcomplaints.gov.uk](http://www.judicialcomplaints.gov.uk)

Such complaints about a judge may be sent in writing to:

Office for Judicial Complaints (OJC),  
4th Floor, Clive House,  
70 Petty France,  
London SW1H 9HD

Complaints about the personal conduct of magistrates should be sent in writing to your local Advisory Committee. You can find details of your local Advisory Committee by asking at the court office or by visiting the website on:

[www.dca.gov.uk/magistrates/docs/advisorycomslist.pdf](http://www.dca.gov.uk/magistrates/docs/advisorycomslist.pdf)

Letters to the OJC or Advisory Committee should include the name of the judge or magistrate and court, your case number and hearing date together with the specific details of the conduct about which you are complaining.

Although we cannot look into complaints about solicitors, barristers or any other organisation, you may find the following addresses useful:

## **Solicitors**

Consumer Complaints Service,  
The Law Society,  
Victoria Court,  
8 Dormer Place,  
Leamington Spa,  
Warwickshire CV32 5AE

Helpline: 0845 608 6565  
Textphone: 0845 601 1682  
Fax: 01926 431435  
email: [enquiries@lawsociety.org.uk](mailto:enquiries@lawsociety.org.uk)  
website: [www.oss.lawsociety.org.uk](http://www.oss.lawsociety.org.uk)

## **Barristers**

If you would like a complaint form please write to:

The Complaints Department,  
The General Council of the Bar,  
Northumberland House,  
289-293 High Holborn,  
London WC1V 7HZ

Telephone: 020 7242 0082  
Fax: 020 7611 1342  
email: [complaints@barcouncil.org.uk](mailto:complaints@barcouncil.org.uk)  
website: [www.barcouncil.org.uk](http://www.barcouncil.org.uk)

## **Police**

Independent Police Complaints Commission  
(IPCC),  
90 High Holborn,  
London WC1V 6BH

Telephone: 08453 002 002  
email: [enquires@ipcc.gsi.gov.uk](mailto:enquires@ipcc.gsi.gov.uk)  
website: [www.ipcc.gov.uk](http://www.ipcc.gov.uk)