

Mass closure of magistrates' courts a 'shattering blow' to local justice

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The Magistrates' Association has described the government's decision to close 93 magistrates' courts as a "shattering blow" to local justice.

Justice minister Jonathan Djanogly announced last week that 49 county courts would also be closed.

Only ten magistrates' courts and five county courts on the MoJ's consultation list were spared the axe.

Among the lucky few was Newbury Magistrates' Court, where David Cameron's mother Mary sat for almost 30 years. Another was Abergavenny, which the MoJ had described in its consultation paper as closed since 1999 even though it reopened in July this year.

Mayor's and City of London County Court, which is understood to be suffering from staff shortages and struggling to cope with its existing workload, survived.

Newark in Nottinghamshire will lose both its magistrates' and county courts.

Julian Bruce, solicitor at Larken & Co solicitors, represents clients in family and criminal cases.

Bruce said clients in care proceedings tended to come from the socially deprived backgrounds and he worried about their ability to get to the nearest court, which would now be in Nottingham.

"As far as crime is concerned, it's a question of whether we can transact the work in a profitable way. I suspect it will be very difficult to do that."

Bruce said Nottingham was a 45-minute drive away and solicitors from Newark would not be paid for travelling time.

"The decision is not a huge surprise, but it has disappointed me. The firm has been doing this kind of work for more than a century."

Steven Marsh, partner at Scott Duff & Co in Penrith, Cumbria, said the closure of the local magistrates' and county courts would force clients to travel 20 miles to Carlisle.

"This will have a very significant impact on me personally and the firm," he said.

Marsh said a number of staff might have to be transferred to the firm's office in Carlisle.

Both courts in Skipton, Yorkshire, survived after an intensive lobbying campaign. John Mewies, senior partner of Mewies Solicitors, said that if the courts had closed, clients would have had to travel 22 miles to Harrogate across roads that were often closed in winter.

He said the town's new Conservative MP, Julian Smith, had been "very enthusiastic" in campaigning against the closure.

"Our case was based simply on geographical grounds," he said. "Common sense has prevailed."

John Thornhill, chairman of the Magistrates' Association, said the association had expressed its "grave disappointment" to the justice minister that the number of magistrates' courts to be closed was as high as 93, with only ten reprieved.

"We support those court closures which have been accepted by magistrates believing that, for their area, rationalisation is the best way forward and that access to justice will not present a problem for court users.

"In other areas, however, magistrates have expressed grave concern about the impact of court closures and their responses to the consultation have provided clear evidence that closures will adversely impact on court users and easy access to justice.

"For those areas this is a shattering blow to community justice and contrary to the principles of the Big Society as understood by the Magistrates' Association."

Thornhill added that the association was concerned about the consultation process and not satisfied that additional information provided by magistrates was properly taken into account.

Jennie Kreser, magistrate at Sutton in South London, described closure as a "major disappointment".

She went on: "Some courts are underutilised, but the government has not provided staff to make them work efficiently, so you can only use one out of, say, three court rooms."

Lord Justice Goldring, the senior presiding judge for England and Wales, strongly criticised the court closure programme, warning that it could damage the morale and recruitment of magistrates (see solicitorsjournal.com, 21 October 2010).

"Given the likelihood that victims of crime, or those involved in civil and family disputes, will live in the same locality as other parties, it is not difficult to envisage everyone travelling together on the local bus so as to arrive at court on time. Closures will exacerbate such difficulties."

However, Djanogly said the closures would save the taxpayer around £41.5m, alongside the possible £38.5m which could be raised from the sale of properties.

He said that £22m of capital would be reinvested to improve and modernise the courts to which work would transfer.

"An estate of over 500 court buildings is not now necessary or sustainable, nor is it a reasonable expense for the taxpayer," Djanogly said.

"We are closing the worst courts in the estate – so we can concentrate our limited resources on the best ones. We are investing in the court estate with new buildings and with refurbishment of facilities."

The justice minister said the MoJ intended to make better use of technology, including giving witnesses the ability to give evidence by video link.

He announced that a pilot scheme would begin next month, giving police officers in summary trials the ability to give video evidence.

The MoJ's consultation on the closures received more than 2,500 responses.