Justice Committee

Scottish Court Service recommendations for a future court structure

Written submission from Heather MacLeod

I am writing in respect of the proposed closure of Haddington Sheriff Court, and as a former Sheriff Clerk Depute of both Haddington and Edinburgh Sheriff Courts, I wish to make the following observations in respect of your two questions:

1. What will be the local impact of the SCS’s recommendations on access to justice?
   The closure of Haddington Sheriff Court and the transfer of business to Edinburgh Sheriff Court will mean the loss of local jobs and knowledge within the justice system and goes totally against the principle of providing ready access to justice for local people.

   Moving East Lothian court business to Edinburgh significantly increases business in Edinburgh Sheriff Court in Chambers Street, which already houses both the JP Court and a High Court Jury Sitting. Closing Haddington and moving the business to Edinburgh raises the question of local jobs specifically within the Scottish Court Service (SCS) and the Procurator Fiscal Service. Whilst SCS may undertake to maintain Haddington jobs within Edinburgh, it would appear likely that through time, the work would be absorbed into the Edinburgh staff compliment.

   Not only that but local law firms within Haddington and East Lothian will undoubtedly suffer. Haddington Sheriff Court is a busy court, not only for criminal business but also for family business - adoptions, parental responsibilities actions and Child Welfare Hearings. Large Edinburgh firms will often appoint a local agent to act in a case held within the jurisdiction of Haddington. Such local agents will suffer enormously should the closure of the court be approved and their firms will struggle to survive within the town and surrounding area. Thus, without the court, local law offices may also close. Local people will no longer have the same access to specialist support and legal advice.

   Local businesses within Haddington undoubtedly benefit from the comings and going of people to the court. The Court is a focal point within the small town - in opening hours and hearings court users and officials frequent the local cafes, supermarkets, post office and shops. The local economy would be directly affected should such a busy court be closed.

2. What will the local impact be on court users of the SCS’s recommendations?
   More significantly, the closure of Haddington Sheriff Court will not allow for ready access to justice for the local people of East Lothian. Such a move will incur increased costs for witnesses, jurors, accuseds - all requiring to travel significantly further afield to Edinburgh to attend for court appearances. Where longer journeys are necessary, delays will undoubtedly result and will cause unnecessary disruption and backlogs in court in Edinburgh. Some persons requiring to make that additional journey will
undoubtedly choose not to travel or will be unable to, thus requiring the issue of a warrant – causing additional expense to the taxpayer.

A further important note to make regarding travel, is that, by requiring the people of East Lothian to travel outwith their local jurisdiction to Edinburgh, this increases the likelihood of opposing sides (both in criminal and civil cases) coming face to face and travelling by the same form of public transport, thus increasing the possibility of interference in evidence or potential confrontations on route to what can often be an emotive court appearance.

The closure of the local court will mean the end of many local services that are provided by the Court to the local East Lothian population - the Public Counter within the Court provides a wide range of vital services that are used by local people, without the need to travel 20 miles to Edinburgh. The Counter allows East Lothian people the possibility to pay or enquire about fines payment, staff provide assistance with Estates and Commissary matters, advice regarding small claims is available, and many other services are available such as jurors expenses, and witness support. Moreover the counter provides up-to-date information regarding cases in court on the day. It should also not be forgotten that Haddington Sheriff Court participates and has encouraged Work Experience programmes with East Lothian schools. This can only be acknowledged as broadening the minds and thinking of the younger generations within East Lothian and would be lost should the Court be closed.

It is for these reasons, that I ask that you seriously consider not approving the proposal to close Haddington Sheriff Court.

Heather MacLeod
21 May 2013