Justice Committee

Scottish Court Service recommendations for a future court structure in Scotland

Written submission from Fiona O'Donnell MP

I am writing to submit my views on the Scottish Court Service proposals to close Haddington Sheriff and JP Courts, which have now been approved by the Scottish Government.

While the many economic, civic and other arguments against closure have been well rehearsed and you will no doubt receive a wealth of further detailed evidence against the closure plans, my central concern remains that of access to justice, particularly for vulnerable constituents in East Lothian.

I fear that closing our courts will have a detrimental impact on the ability of local people to access justice and the support services currently offered by the courts in Haddington. At the recent public meeting on the future of the courts, Anne Hastie from Haddington CAB highlighted the in court advice service it currently provides at the Sheriff Court.

The project is funded by the Scottish Legal Aid Board (SLAB) under their increasing access to justice agenda. One full time In Court Adviser is currently employed, with part time admin support. This funding was increased to enable the CAB to employ a full time Debt Adviser for the court service, also making up the admin support post to full time equivalent.

Haddington CAB believe that if the courts close it is unlikely that SLAB will continue to fund an In Court Advice Project in East Lothian with the resultant loss of 4 jobs. Furthermore, Haddington CAB has stated that without these posts it would not have the capacity or expertise to provide a casework service for clients facing court action. It is clear that this will result in a reduction in access to justice locally.

I am deeply concerned at how this will affect people in East Lothian, particularly at a time when many vulnerable people are facing increased debt, benefit problems and other legal issues.

I share the view of Haddington CAB that the priority must be to protect Scotland's vulnerable and low income citizens from the worst consequences of the current welfare benefit changes and public funding cuts. I am clear that reducing access to justice through the closure of Haddington Sheriff Court will detract from that objective and most likely lead to further harm being inflicted on the most disadvantaged in East Lothian.

The other access to justice issue that several constituents have brought to my attention is the advice provided by court staff on issues such as small claims, dealing with a deceased's estate, paying fines and a range of other legal issues. The ease of access to the court in Haddington means that local people are currently able to
speak face to face to someone and receive the help and advice they need to deal with their query in the quickest and most efficient way.

The reality of closing the courts in Haddington and moving them to Edinburgh is that this facility will be lost to people in East Lothian and they will have to travel to Edinburgh to access this kind of information and advice. In turn, this will further reduce local access to justice.

Overall, I believe it is clear that the impact of the SCS’s recommendations on access to justice will be catastrophic. Court users, witnesses and the general public, who make use of a variety of services provided at the courts, will all suffer, as will the general delivery of local justice in East Lothian.

I urge members of the committee to consider fully all of the powerful arguments against the closure of Haddington’s Courts, including that of local access to justice, and recommend that the Parliament rejects this assault on local justice in East Lothian and save the courts.

Fiona O'Donnell MP
East Lothian
20 May 2013