Justice Committee

Scottish Court Service recommendations for a future court structure in Scotland

Written submission from Haddington and District Amenity Society

We understand that further evidence is being taken following the debate in the Scottish Parliament.

Our representation was contained within the original letter which is attached.

We understand from contact with East Lothian Council and the office of Iain Gray MSP that further evidence has emerged regarding the real costs of closure and that this is being made available to the Committee.

We are concerned that the real costs were not fully expressed in the report which recommended closure and that such an important matter should not be decided without consideration of all relevant information.

Haddington and District Amenity Society
21 May 2013
Submission to Scottish Court Service Consultation – September 2012

We wish to respond to the above consultation and to the proposal that the sheriff court and justice of the peace court, currently held in Haddington, should cease and be transferred to Edinburgh. We note that proposal 6 relates not only to Haddington but also to courts at Alloa, Cupar, Dingwall, Arbroath and Stonehaven, the common theme being that the courts in all these towns are in proximity to courts in larger, nearby, towns.

In responding to questions 19, 20 and 21 (below) we would like to make a number of points before addressing these questions directly.

A court has existed in Haddington since medieval times. Originally accommodated in the Tolbooth opposite Newton Port, the court moved to Haddington Town House on its completion in 1742. Thereafter the court moved again to County Buildings on completion in 1832.

The street in which the County Buildings are located was formerly known as King Street but the name was changed to Court Street following the establishing of the court there.

There is therefore a long tradition of a court at the centre of the County Town of East Lothian. It is part of the history, identity and polity of the County and makes an important contribution to the civic status of the Royal Burgh.

The existence of a Court as part of a grouping of civic functions is recognised as a strength in the consultation and this arrangement exists in Haddington. This has been acknowledged in the recent Haddington Town Centre Vision prepared by consultants and published in July 2012. This report defines the Civic area of the Town containing the Courts, the local government administration including court related services, the police station, post office, churches and banks. There are good pedestrian linkages to nearby car parking.

These facilities, including the courts, draw people in from the town and surrounding area and they not only use the services within the Civic area, but also the nearby town centre to shop or have a meal and refreshment thereby providing support for Haddington Town Centre which, as with centres elsewhere, is under pressure. It is appropriate to point out that Government is currently promoting a study with a view to introducing a set of regeneration initiatives designed to bolster the declining fortunes of town centres throughout Scotland.

We believe that the closure of the court in Haddington would have serious consequences and would run counter to the Government’s much publicised initiative regarding town centres.

While the consultation makes it clear that the substantial cutbacks in revenue and capital budgets mean that there is no choice but “to find ways to deliver our services at lower annual cost” this consultation would be of limited value if centrally imposed financial constraints were to be the only or over-riding consideration.
The report acknowledges “that one size does not fit all” (2.43) and we believe that the above factors should be weighed against the need to make financial savings. Our feeling is that the impact of court closure in Haddington would be profound and would be felt in a number of ways which would be serious, albeit difficult to quantify.

Question 19 – do you agree with proposals to shut the courts at Haddington and transfer the court business to Edinburgh?

No.

Question 20 – say why you disagree with the closure of these courts and how you would prefer the courts to operate in practice.

We have no view on how the courts could be better operated. We assume that they are operated effectively at the moment and that the accommodation in County Buildings is fit for purpose. Our understanding is that the possibility of closure as an option is based on financial considerations rather than any implied criticism of the current service. The well established principle that justice is best delivered locally is a matter outwith our normal remit but is part of our response based upon our understanding of the civic status of the Royal Burgh.

We feel that other costs, identified in the above paragraphs, must be taken into account before any decision is taken.

Question 21 – how would the closure of any of these courts affect you?

HADAS is concerned with the future welfare and prosperity of Haddington. That is why we took the lead in promoting the Vision project referred to above. Our view is that the decision to close the courts here would impact in ways which are difficult to quantify but which are nonetheless very important.