Justice Committee

Scottish Court Service recommendations for a future court structure in Scotland

Written submission from Murray Donald

As a commercial property solicitor working in North East Fife, the proposed closure of Cupar Sheriff court has limited impact on my professional life.

However, speaking as a resident of Cupar, I must vehemently disagree with the proposed move to close the doors and shift all business to Dundee, and am concerned that it will have irreparable consequences on the access to and administration of justice in this area.

I have fairly recently moved to Fife, having previously lived in Glasgow and before that the Scottish highlands, and I can appreciate, therefore, the very unique demographic of the area. It is equally rural and urban, coastal and even cosmopolitan, with a character certainly far removed from Dundee. Cupar has been the seat of local justice in this area for centuries, and is both geographically and socially fairly centrally placed in the Sheriffdom.

That said, Cupar has faced the same struggles as high streets up and down the country, and although it has weathered the storm somewhat better than others, the loss of its court will be a significant blow to the town itself. The extra traffic and footfall for local shops and cafés that the court brings cannot be underestimated, and unfortunately its full extent will only become apparent when those doors close. Without the focus of a court, will those people still come to Cupar?

There are also practical concerns - the public transport infrastructure in the area is well suited to carry people to Cupar, and there are surprisingly numerous A and B roads leading to the town from all over the County. The same can not quite be said for Dundee, as people living along the Forth coast will have much increased journey times. Furthermore, there are only two ways which those in Fife can get to Dundee - via the Tay Bridge, or alternatively, via Perth. It is certainly not unknown for the Tay Bridge to close on short notice, either because of an accident or other incident, or due to high winds. Clearly, if the bridge is closed and court users from Fife cannot get to court in time, this will have a knock-on effect on the court business for that day, and will just lead to delays and increased expense and frustration. The alternative route via Perth will easily add a further hour onto journey times, without even taking into account public transport timetables. All of this is to say nothing about the increased carbon emissions that must surely be at odds with the Parliament's green policies!

For those who drive, including, no doubt, the police, social workers, solicitors, etc, there is the added question of parking. Leaving aside the disaster that is Dundee City Centre’s roads at present (!), there will surely be an increased number of people seeking to park near to the court. At present, Cupar Sheriff Court is located within a couple of minutes’ walk from an unrestricted free car park at Fluthers, and there are many other paying car parks even closer. Parking charges, on top of the increased mileage, will presumably now also have to be shouldered by court users.
It strikes me that this is not so much a cost-cutting exercise, as one of cost-shifting. Moving the court costs from SCS' budget to that of the police, local authorities and the general public is not the way to save money. In fact, I would be astounded if the proposed move to Dundee did not in fact turn out to be more expensive, with everyone else being expected to carry the costs "saved".

I believe that local access to justice is one of the key fundamentals of any modern democratic society, and to that end, I don't believe that closing courts is ever the answer. Conversely, I would advocate that people should be allowed as easy an access to a court as is possible - we have travelling libraries, so why not travelling courts..? People should be entitled to settle disputes locally and be heard and judged in the manner that befits their area, and I am concerned that the proposed closure will rob the people of North East Fife of that basic democratic right.

Judith Vandecastelee
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