Justice Committee

Scottish Court Service recommendations for a future court structure in Scotland

Written submission from Ian Kemp

I understand from a recent piece on TV that a committee of MSPs is looking to take evidence on the effect of closing courts. I was wondering how I can give evidence?

In summary, my wife and I live in Borgue and were victims of a crime in March 2009. The police found the person responsible within about a month and he was prosecuted. The case was sent to JP court but by mistake it was sent to Dumfries not Kirkcudbright. Due to the backlog of cases the first hearing was not until March 2010 some 54 weeks after the offence and was adjourned until June 2011 a further 65 or so weeks. When the case came back to court again it was deserted due to the Supreme Court “Cadder” ruling. The perpetrator considered that this was an indication that he was not guilty and this has necessitated us taking out an interdict at great expense.

Had the case been heard in Kirkcudbright I am convinced that it would have been heard in a reasonable time and even if the conviction was later quashed it would have had the effect of clearly spelling out that his actions were wrong.

Ian Kemp
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