What will be the local impact of the Scottish Court Service recommendation on access to justice

The closure of any Court by its very nature will inevitably have a significant impact on how justice is delivered locally by any state.

I believe the proposal to close Arbroath Sheriff Court contained within the Scottish Court Service recommendation will have a proportionately higher impact on access to justice for the citizens of Angus than perhaps some of the other Courts proposed closures.

Arbroath is the largest Town in Angus and has a population of 22,000. The Court also serves the adjacent Town of Montrose with a population of 11,000. Including the rural areas and Carnoustie (a ward with a population of around 12,500), at present it is estimated that Arbroath Sheriff Court currently serves a population of around 55,000. Forfar is Angus’s second largest Town with a population of 13,000. It is estimated that Forfar Sheriff Court currently serves a population of around 25,000. This means that the effect of the Court closure will result in a significantly higher proportion of people having to travel to Forfar for access to justice.

In terms of the transportation links, Forfar does not have a train station or a purpose built bus station. Arbroath has both which serves a number of adjoining Towns in Angus. On the present bus timetables, Court users requiring travelling to Forfar Court by public transport will require to get a bus from Arbroath to Forfar at 07.55 hours to ensure that they arrive by 10am. This involves a journey time of around 1 hour 35 minutes each way at a cost of £6.50 return. For a Court user in Montrose to travel to Forfar, they will require to travel by bus with the only service being at 07.28 hours to ensure an arrival at 10 o’clock. This will result in a 2 hour bus journey at a cost of £6.50. Both people including witnesses and accused persons and victims of crime will require to use this one service and all sit together on a bus. Conversely a Court user travelling from Forfar to Arbroath can access a bus at 09.05 to travel to Arbroath.

The Scottish Government recognises the need to address needs of vulnerable witnesses and victims of crime. At present, Arbroath Sheriff Court has secure remote sector for vulnerable witnesses including victims situated outwith the Court building. It is of vital importance that vulnerable witnesses are supported to ensure they give their evidence in the most effective manner. The facilities at Arbroath are recognised as excellent. In contrast, the remote CCTV site in Forfar is situated in the turret at the top of the building. The suite is a small antiquated room and the link to the main Court on many occasions has failed and the audio quality is poor. Access to the room requires witnesses to enter the Court building, sit in a mixed witness room until the Trial commences and then walk through the public corridor and ascend several steep steps to reach the room.
At present, Arbroath Sheriff Court has two fully functioning and equipped Court rooms. The Court has four separate witness rooms. At present, Forfar has one fully useable Court room with another inadequate Court room situated within the building. There are only two witness rooms in Forfar Sheriff Court which are situated next door to each other. This leads to inevitable situations where witnesses for both the prosecution and defence meet in the common corridor. In terms of Court business, Arbroath Sheriff Court currently deals with around 60% more Court business than Forfar. In terms of vulnerable witness applications that have been made to the Court, in the year 2010 67 vulnerable witness applications were granted at Arbroath Sheriff Court where as the comparison number in Forfar for the same year was 5. In 2011, 47 vulnerable witness applications were granted by Arbroath Sheriff Court with 6 being granted in Forfar. There is an office for the Children’s Panel situated in Arbroath whereas there is none situated in Forfar. This may in some part explain the high level of child witness. In addition, in terms of proceeding under the Children (Scotland) Act 1995 for cases involving children during 2010 there were 75 cases in Arbroath, 55 in Forfar and in 2011 there were 83 cases in Arbroath and 48 in Forfar. These figures highlight that a significant number of children and their families attend Arbroath Sheriff Court. With the proposal to close Arbroath to Sheriff Court and move to Forfar with the transportation links being so poor, this will significantly impact on children and young families ability to access a Court.

**Economic impact**

In terms of economic impact Arbroath Sheriff Court is situated in a prominent position on the High Street surrounded by a number of small local retail businesses. Many of these small businesses rely upon passing trade from the Court users such as cafes and newsagents. The closure of this building will result in a large area of the High Street being blighted by an empty building, and it may remain empty for a considerable period of time. I note in terms of the Scottish Court Services consultation document, they have factored in ongoing maintenance costs of £12,000 per year for the next 3 years following the closure of Arbroath Sheriff Court. The Scottish Court Services therefore recognise this prominent building will lie empty for a considerable period of time. In contrast, Forfar Sheriff Court is situated in a building outwith the Town Centre retail area and therefore its closure would be unlikely to impact upon with any significance, particularly having regard to the number of Court users compared to Arbroath that attend, on local businesses.

It is therefore my submission that in order to secure the best possible facilities for access to justice by Court users, and make best use of scarce resources, the Scottish Court Service should revert to the original discussion paper proposal and close Forfar Sheriff Court and retain Arbroath Sheriff Court as a valuable asset that it has proven to be in the past. Arbroath Sheriff Court is in the position to the accommodate the additional business from Arbroath, it is best served by public transport links and it is more efficient than Forfar Sheriff Court and this option would provide the best value for taxpayers funds.

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