I refer to the above and thank you for inviting the Scottish Police Federation (SPF) to respond. Our response will cover three main areas; the costs, access to justice and a shifting of responsibilities.

**Cost**

The SPF is fully alert to the financial challenges facing all areas of public spending in Scotland and understands the argument of ‘just throw more money at it’ is simply not credible. However, we believe that in relation to the court service there should be a greater focus on value than costs.

We recognise the premises identified for closure are not always occupied or open or fully staffed and as such are expensive to run and service. We also appreciate the logistics and costs of transporting sheriffs, clerks, procurators fiscal and solicitors to courts but in our view this is necessary to ensure the minimisation of disruption and stress for witnesses and victims.

We must also recognise that by and large (and potentially due to the requiring of professionals to travel) the court business in the quieter courts is dealt with fairly effectively and with less delay and disruption than occurs in the larger and busier courts. The SPF doubts (and despite the best efforts of many to improve the overall court experience) the widespread inefficiency in the way in which courts are run will do anything other than add to the cost of justice rather than reduce it.

The SPF is supportive of the proposals to make greater use of technology, for example video link, for court proceedings but have concerns over who will oversee the process. Additionally we are not aware of the widespread availability of the technology and fear that despite the intention, we will continue to see victims and witnesses travelling longer and more often than necessary, often on the same modes of transport as the accused and any defence witnesses.

The SPF also highlights the massive costs and disruption associated with the attendance of police officers in court. Increased distances with increased police costs and increased abstractions will stretch police budgets even further and deprive our communities of the police officers they rightly expect to see patrolling their streets. We do not accept the notion of police officers ‘waiting’ in police stations is a good use of their time and despite the widespread belief that police officers can simply be on ‘standby’ for court this in fact ignores that police officers are either on or off duty. When police officers are on-duty, they should be able to freely attend and deal with any and all incidents that come their way. Having a police officer at an incident distracted due to the imposition of a ‘court clock’ will not see that officer delivering the best service at incidents. Police officers rarely know what they will face at an incident until they get there. It is naive to assume that an officer could simply walk away or be replaced at an incident due to the requirements of court attendance.
The SPF is supportive of co-location of services which, if entered into in the correct spirit by all relevant parties, has the potential to reduce some of the costs identified above significantly.

Access to Justice
The SPF is concerned about the impact of closures on access to justice and indeed the wider ability to uphold the law. Notwithstanding our comments under costs, we are highly sceptical the introduction of technology etc. will minimise the actual reality of victims and witnesses travelling to physical court buildings for the purposes of giving evidence. As previously commented, due to limited travel options, this will undoubtedly see victims, witnesses, accused and defence witnesses travelling together. It need hardly be stated but such events will make it more unlikely victims and witnesses will come forward in the first instance which will undermine public confidence and increase the likelihood of offences going undetected or unreported.

The Shifting of Responsibilities
Whilst there is hardly a court in the country that does not at some time of the day have a police officer in it, which by default helps maintain order, the responsibility for the good order of those in court buildings is not one for the police. It is absolutely vital that victims and witnesses are separated from accused and defence witnesses for a whole variety of reasons and the current arrangements ensure that happens reasonably effectively. We have already commented on the logistical nightmare of travel and can see an inevitability of police involvement on the way to or indeed from court. Rather than reducing costs, this will increase them.

Whilst remaining supportive of the use of technology we need a whole series of guarantees over how the process will work. Instinctively there appears to be a need to access some form of local ‘link’. This again presents questions over who manages that process, who ensures, victims and witnesses are kept apart from defence witnesses. We fear this will simply be unloaded onto the police service.

Scottish Police Federation
22 May 2013