



Summary Justice Reform

Delivering a Unified Courts Administration in the Sheriffdom of North Strathclyde

20 May 2009

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DELIVERING A UNIFIED COURTS ADMINISTRATION IN THE SHERIFFDOM OF NORTH STRATHCLYDE

1. Introduction

1.1 Policy Background

In March 2005, the Scottish Government's "*Smarter Justice, Safer Communities, Summary Justice Reform – Next Steps*" paper was published. This paper outlined the Scottish Executive's plans to unify the administration of the summary criminal courts in Scotland under the management of the Scottish Court Service (SCS).

The Criminal Proceedings etc. (Scotland) (Reform) Act 2007 was unanimously passed by the Scottish Parliament in January 2007. This Act contains the legislative provisions that authorise the replacement of District Courts with Justice of the Peace Courts and unifies the administration of these courts under the management of SCS.

The unification of the administration of courts will be completed on a phased basis over the six Sheriffdoms in Scotland. Four of the Sheriffdoms - Lothian and Borders, Grampian Highlands and Islands, Glasgow and Strathkelvin and Tayside Central and Fife - unified during 2008-2009. SCS is reviewing proposals for the Sheriffdom of South Strathclyde, Dumfries and Galloway and an announcement will be made in due course.

This consultation document details SCS proposals for the future configuration of Sheriff and Justice of the Peace Courts and arrangements for delivery of court related services within the Sheriffdom of North Strathclyde.

1.2 SCS Planning Principles

In formulating this plan, SCS has been guided by the benefits outlined in the *Next Steps* paper. The paper recognised that summary criminal courts will work most effectively under a unified administration, one body not 32 local authorities providing:

- Effective service integration
- One IT system
- Consistency of standards
- Greater simplicity and accountability
- Unitary management of the court estate

Court unification is part of the wider programme of Summary Justice Reform. The overall package of reforms is intended to result in fewer people having to attend court at all, and where court attendance is necessary, court users such as victims and witnesses aren't required to appear as frequently.

SCS used a range of principles to inform the proposals and whether a JP Court should be established. These include: -

- business levels
- value for money
- standard of existing facilities
- the mix of more serious business to be dealt with and
- local access to justice and the proximity of other courts.

1.3 Local Working Groups

SCS established Court working groups covering the Sheriff Court Districts in the Sheriffdom of North Strathclyde, namely Paisley, Dumbarton, Kilmarnock, Greenock, with one group covering the Sheriff Court Districts of Dunoon (including Lochgilphead), Oban and Campbeltown. The groups have been established specifically for the unification process and include representation from the local authorities, local criminal justice partners and stakeholders. In addition, a series of meetings and road shows were held earlier in the unification process for District and Sheriff Court staff to provide them with information about SCS and the planned changes.

1.4 Response to the Consultation

Written comments are sought on the consultation proposals contained within this paper. Following the conclusion of the consultation period, SCS will prepare a report for the Scottish Government on the final proposals and recommend the future shape of the court provisions within the Sheriffdom of North Strathclyde. SCS looks forward to implementing the unification of courts administration in this area and will continue to involve the Judiciary, stakeholders, partners, staff and the community in this process.

Please send your comments on this consultation paper by **20 August 2009** to:

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2 FUNCTIONS AND STRUCTURES

2.1 Functions

Following unification of the administration of the summary criminal courts in North Strathclyde, SCS will be responsible for:

- Supporting the Judiciary in the Sheriff and Justice of the Peace summary criminal courts;
- Administering court services in all summary criminal courts;
- Managing and providing legal and administrative staff;
- Providing legal support in court to Justices of the Peace;
- Providing legal and administrative support to the Justice of the Peace Committees;
- Collecting and enforcing all fines and financial penalties;

SCS is adopting Cabinet Office guidance on public sector staff transfers and is working on the basis that those District Court staff who dedicate 50% or more of their time to District Court duties will transfer to SCS. SCS will ensure that all staff transferring to SCS are managed and supported in a way that enables them to give of their best and that they are provided with the skills needed to meet the increased expectations of court users.

Staff transferring to the SCS will be provided with a Personal Development Plan and training, which will include induction and job skills training. Staff will also be provided with opportunities to undertake new areas of work within the unified administration as well as a wide range of new career opportunities.

Details of administrative and legal staff locations are contained in parts 5 and 6 of this paper.

2.2 Local Authority Areas and District Courts

There are thirteen District Courts sitting in the eight Local Authority commission areas within the Sheriffdom of North Strathclyde: – West Dunbartonshire, East Dunbartonshire, Renfrewshire, East Renfrewshire, Inverclyde, North Ayrshire, East Ayrshire and Argyll and Bute. Currently Campbeltown, Dunoon and Oban District Courts use Sheriff Court accommodation for Court sittings.

2.3 Sheriff Courts

There are eight Sheriff Courts sitting in the Sheriffdom of North Strathclyde – Paisley, Dumbarton, Kilmarnock, Greenock, Oban, Campbeltown, Dunoon and Rothesay. A monthly Sheriff Court sitting is held at Lochgilphead within the Dunoon Sheriff Court Annexe. With the exception of Rothesay, all Sheriff Court Districts have at least one District Court sitting in the area. The Sheriff Court District of Rothesay has no District Court. All summary court business in that Sheriff Court District is dealt with within the Sheriff Court and it is

intended that that arrangement will continue. Accordingly, there is no proposal to establish a Justice of the Peace Court at Rothesay.

Details of the current Sheriff and District Court locations within North Strathclyde are set out in the table below:

Current Locations of Sheriff and District Courts

| Local Authority Commission Area | District Court Sitting Location | Sheriff Court Sitting Location | District Court Sits in Sheriff Court Premises |
|---------------------------------|---------------------------------|---|---|
| West Dunbartonshire | Dumbarton | Dumbarton | No |
| | Clydebank | Dumbarton | No |
| East Dunbartonshire | Milngavie | Dumbarton | No |
| Renfrewshire | Paisley | Paisley | No |
| East Renfrewshire | Giffnock | Paisley | No |
| Inverclyde | Greenock | Greenock | No |
| North Ayrshire | Irvine | Kilmarnock | No |
| East Ayrshire | Kilmarnock | Kilmarnock | No |
| Argyll and Bute | Helensburgh | Dumbarton | No |
| | Oban | Oban | Yes |
| | Campbeltown | Campbeltown | Yes |
| | Dunoon | Dunoon | Yes |
| | Lochgilphead | Dunoon Sheriff Court Annexe, Lochgilphead | No |

2.4 Future arrangements for Courts and Services

SCS proposes that Sheriff and Justice of the Peace Courts and supporting services will be based in the same building where there are suitable and sufficient premises and facilities, where Sheriff and District Courts are in the same town or proximity.

SCS believes that this is the most efficient and cost effective way to provide the service, but more importantly it will benefit court users by providing:

- Modern secure court facilities and accommodation;
- Improved service integration – a single service and contact point for court enquiries and services;
- Greater clarity in terms of management and accountability;

This arrangement will also provide benefits for staff, and facilities for their integration into the wider court service.

2.5 Location of the new Justice of the Peace Courts

The configuration of courts which SCS proposes in North Strathclyde is set out in the table below. Details of specific court arrangements are set out in part 3 of this paper.

Proposed Court Locations following Court Unification

| Sheriff District | Court Present District Court Location | Court Post Unification JP Court Location |
|-------------------------|--|---|
| Dumbarton | Dumbarton | Dumbarton Sheriff Court |
| | Clydebank | Dumbarton Sheriff Court |
| | Milngavie | Dumbarton Sheriff Court |
| | Helensburgh | Dumbarton Sheriff Court |
| Paisley | Paisley | Paisley (in former District Court building) |
| | Giffnock | Paisley – as above |
| Greenock | Greenock | Greenock Sheriff Court |
| Rothesay | None | None |
| Kilmarnock | Kilmarnock | Kilmarnock Sheriff Court |
| | Irvine | Irvine (in former District Court building) |
| Oban | Oban | Oban Sheriff Court |
| Campbeltown | Campbeltown | Campbeltown Sheriff Court |
| Dunoon | Dunoon | Dunoon Sheriff Court |
| Lochgilphead | Lochgilphead | Dunoon Sheriff Court Annexe, Lochgilphead |

3 LOCATIONS OF JUSTICE OF THE PEACE COURTS AND OFFICE SERVICES

3.1 DUNBARTONSHIRE

Dunbartonshire has District Courts sitting in two Local Authorities, namely West Dunbartonshire Council and East Dunbartonshire Council.

West Dunbartonshire

3.1.1 Dumbarton and Clydebank

West Dunbartonshire District Court sits in both Dumbarton and Clydebank. The administration of both courts is conducted at the Council Offices, Garshake Road, Dumbarton, 1.5 and 7 miles respectively from both court buildings. Fines and financial penalties payment and collection are carried out from these administrative offices.

The District Court sits on fourteen days per month divided between the two courts. The court sits at the Municipal Buildings, Dumbarton on seven days per month, (Wednesdays and Fridays) and sits within part of the Town Hall, Clydebank on six days per month, (Mondays and Thursdays) with one additional sitting day per month alternating between both courts. Custody cases are dealt with at the location where the District Court is sitting and on non scheduled sitting days all custody cases are dealt with at Dumbarton District Court.

The District Court building in Clydebank is approximately 7.5 miles from Dumbarton Sheriff Court. Court facilities at Clydebank are basic. There is no office space within the building and the cell accommodation is inadequate.

Dumbarton Sheriff and District Court buildings are in very close proximity, within a few minutes walking distance.

SCS has made a significant investment in Dumbarton Sheriff Courthouse which has recently undergone a major programme of building works. These concluded in February 2009 at a cost of approximately £11.5 million. This has greatly improved the overall facilities for court users and staff. There are now five courtrooms within the renovated Sheriff Court building and Justice of the Peace Court business can be accommodated within this building and take advantage of its modern facilities. Taking this into account, along with the close proximity of the Sheriff and District Court buildings, SCS proposes to relocate West Dunbartonshire District Court sitting at Dumbarton and the administrative support into the Sheriff Court building

SCS considers that the District Court facilities at Clydebank are not suitable for summary criminal court business. To retain a court facility in Clydebank, SCS would require to find alternative accommodation or fund the construction of a new building. No alternative accommodation has been identified. SCS is

of the view that the funding of a new build, estimated at £0.8M, is not justified due to the volume of business at Clydebank together with the recent completion of building works at Dumbarton Sheriff Court. The table below provides an outline of business dealt with at Clydebank District Court during the period 2005- 2009.

| Financial Year | Complaints initiated | Trials assigned | Trials proceeded | Average duration of court sitting per day (hrs) | Total diets | Average cases per court sitting |
|----------------|----------------------|-----------------|------------------|---|-------------|---------------------------------|
| 05/06 | 608 | 197 | 12 (6%) | 3.25 | 2485 | 35 |
| 06/07 | 535 | 192 | 8 (4%) | 2.5 | 2380 | 33 |
| 07/08 | 607 | 127 | 10 (8%) | 2.75 | 2359 | 32 |
| 08/09 | 451 | 110 | 12 (11%) | Not available | 1814 | 25 |

SCS proposes to disestablish West Dunbartonshire District Court sitting at Clydebank and the court business will be absorbed into Dumbarton Justice of the Peace Court in the Sheriff Court building. Dumbarton Justice of the Peace Court will sit nineteen scheduled court days per month.

All administrative staff transferring to SCS from West Dunbartonshire Council will re-locate to Dumbarton Sheriff Court.

It is seven miles by car from Clydebank to Dumbarton. The following table provides public transport information from Clydebank to Dumbarton:

| | BUS | TRAIN |
|---------------------|---|--|
| FREQUENCY | Every 20 minutes | Between 15-30 minutes; choice of two stations, Clydebank or Singer |
| JOURNEY TIME | 33-40 minutes | 14 – 26 minutes |
| COST | £3.50 - all day multi journey £3.20 - 2 journey off peak £1.60 - single | £4.00/£4.10 standard return £2.95/£3.05 off peak return |

East Dunbartonshire

3.1.2 Milngavie

East Dunbartonshire District Court sittings are held within a general purpose function room at the Town Hall, Milngavie. There is therefore currently no dedicated District Court building in Milngavie. There is no office accommodation within the court facilities, an administrative member of staff travels to the court on sitting days to provide support to the Legal Assessor. All court administrative work including the collection of fines and financial penalties is carried out from the Council Offices, Tom Johnston House, Kirkintilloch located approximately 7.5 miles from Milngavie. The one member of administrative staff transferring over to SCS will relocate to Dumbarton Sheriff Court.

The District Court at Milngavie sits two days per month. Temporary court furniture is used in the general function room when the court is sitting. Custody cases are dealt with at Milngavie District Court on sitting days. When the court is not scheduled to sit, local community groups use the room. On such days custody cases are arranged to be heard late afternoon at the conclusion of the community group activity.

Milngavie Town Hall has no cell or detention room accommodation with prisoners being detained within a Reliance vehicle until their appearance in court. There are no witness rooms within the building with both Crown and Defence witnesses required to wait in the main public foyer of the Town Hall.

Due to the lack of a dedicated courtroom with appropriate and sufficient accommodation, SCS considers the District Court facilities at Milngavie not suitable for summary criminal court business. To continue to provide a court service in Milngavie, SCS would have to identify an alternative building or fund the construction of a new build at a cost of approximately £0.8M. SCS have not identified alternative accommodation and believe funding a new building is not justified due to the low volume of court business and the major investment made by SCS with the renovation work carried out at Dumbarton Sheriff Court. SCS proposes to disestablish Milngavie District Court and absorb the court business into Dumbarton Justice of the Peace Court. A profile of Milngavie District Court business is set out in the table below.

| Financial Year | Complaints initiated | Trials assigned | Trials proceeded | Average duration of court sitting per day | Total diets | Average cases per court sitting |
|----------------|----------------------|-----------------|------------------|---|-------------|---------------------------------|
| 05/06 | 192 | 74 | 4 (5%) | 1.5 | 510* | 15* |
| 06/07 | 106 | 49 | 2 (4%) | 1.75 | 386* | 17* |
| 07/08 | 111 | 36 | 3 (8%) | 1.5 | 325* | 14* |
| 08/09 | 142 | 63 | 4 (6%) | 2.25 | 395 | 17 |

* Includes means enquiry cases

The distance between Milngavie and Dumbarton is twelve miles by car. The following table provides public transport information from Milngavie to Dumbarton:

| | BUS | TRAIN |
|---------------------|--|--|
| FREQUENCY | Between 9 – 21 minutes | Every 32 minutes |
| JOURNEY TIME | 1 hour 22 minutes – 1 hour 28 minutes (includes connection time) | 47 - 50 minutes (includes connection time) |
| COST | £3.50 - all day multi journey | £5.45 standard return £4.00 off peak return |

3.2 RENFREWSHIRE AND INVERCLYDE

Renfrewshire and Inverclyde has three District Courts sitting in three Local Authority areas, namely Renfrewshire Council, East Renfrewshire Council and Inverclyde Council.

Renfrewshire

3.2.1 Paisley

Renfrewshire District Court is situated within a purpose built building adjacent to Strathclyde Police Divisional Headquarters, Paisley. The District Court sits four days per week. Custody cases are dealt with on court sitting days and on days when the court is not scheduled to sit, a Justice of the Peace and Legal Assessor are on standby.

All administrative work, including the collection of fines and financial penalties, is carried out from the District Court building.

While the SCS preference would have been to co-locate the Sheriff and Justice of the Peace Court in a single site in Paisley, there is insufficient accommodation within the Sheriff Court building to be able to fully achieve this. SCS therefore proposes to continue to use the former Renfrewshire District Court as Paisley Justice of the Peace Court on unification. Administrative staff transferring will be located in both the Justice of the Peace and Sheriff Court buildings. They will be fully integrated SCS staff and there will be opportunities for the staff who will initially be based at the former District Court building to work at Paisley Sheriff Court. Fines and financial penalty collection will be carried out from administration offices within both buildings.

East Renfrewshire

3.2.2 Giffnock

The operation of East Renfrewshire District Court is split over two sites approximately 1.5 miles apart. The District Court building is situated on the ground floor adjoining Strathclyde Police Office, Giffnock. All administrative work including fines and financial penalty collection is carried out from East Renfrewshire Council Headquarters, Eastwood Park, Giffnock. There is a fines collection facility available at the Council Offices, Barrhead, but only once per week for a two hour period.

East Renfrewshire District Court sits in Giffnock once per week for scheduled court business and a fines enquiry court is held monthly at both the District Court building in Giffnock and at the Council Offices in Barrhead. Custody cases are dealt with on court sitting days at Giffnock.

In the past, cell accommodation was available within the police office at Giffnock. This accommodation has not been in use as a cell by Strathclyde Police for many years and is no longer suitable as a place for detention of prisoners. There is no other cell or detention room accommodation available within the District Court building. Prisoners are detained within a Reliance vehicle until required to appear in court. There is no administrative support or office accommodation available within the District Court building.

SCS views the accommodation at East Renfrewshire District Court as unsuitable for summary criminal court business. Taking this into consideration, along with the low volume of court business, SCS proposes to disestablish East Renfrewshire District Court on unification and absorb the court business into Paisley Justice of the Peace Court. The court programme at Paisley will be extended from four days to five days to provide for this. The table below provides a profile of the volume of business at the District Court, Giffnock:

| Financial Year | Complaints initiated | Trials assigned | Trials proceeded | Average duration of court sitting per day | Total diets | Average cases calling per court sitting |
|----------------|----------------------|-----------------|------------------|---|-------------|---|
| 05/06 | 486 | 174 | 52 (30%) | 4 | 1233 | 25 |
| 06/07 | 428 | 69 | 12 (17%) | 3.5 | 1213 | 25 |
| 07/08 | 432 | 88 | 19 (22%) | 5 | 1338 | 27 |
| 08/09 | 357 | 69 | 11 (17%) | Not available | 1188 | 24 |

Administrative staff transferring will be located in both the Paisley Justice of the Peace and Sheriff Court buildings. They will be fully integrated SCS staff

and there will be opportunities for transferring staff to work within both court buildings. Fines and financial penalty collection will be carried out from administration offices within both buildings.

At present court users require to travel from areas outwith Giffnock and Eastwood. A sample of court business taken during a two week period in January 2009 showed that 25% of accused reside within the Eastwood area (including Clarkston and Giffnock) and 55% were resident within the Barrhead area (including Uplawmoor and Neilston). A further 19% of accused were resident in other areas mainly due to offences committed on that part of the M77 motorway which falls within the jurisdiction of East Renfrewshire.

It is eight miles by car between Giffnock and Paisley and five miles by car between Barrhead and Paisley. The tables below provide public transport information available from Giffnock to Paisley and Barrhead to Paisley:

| Giffnock - Paisley | BUS | TRAIN |
|---------------------------|--|--|
| FREQUENCY | Between 3-18 minutes | 3 per hour |
| JOURNEY TIME | 1 hour 5 minutes (includes connection time) | 40 – 50 minutes (includes connection time) |
| COST | £3.50 all day multi journey | £4.80 standard day return £3.55 off peak return £2.95 single |
| Barrhead - Paisley | BUS | TRAIN |
| FREQUENCY | 12 per hour | 5 per hour |
| JOURNEY TIME | 6 – 16 minutes | 40 – 50 minutes (includes connection time) |
| COST | £3.10 multi journey (peak) £2.60 multi journey (off peak) £2.80 return £1.10 single | £4.70 standard day return £3.40 off peak return £2.80 single |

Inverclyde

3.2.3 Greenock

Inverclyde District Court sits three days per week. The court room is situated on the first floor and to the rear of the Council Municipal Building in Greenock. All administration including fines and financial penalty collection is carried out from an office on the ground floor of the building.

Custody cases are dealt with at Inverclyde District Court on sitting days with a Justice of the Peace and Legal Assessor on standby on non scheduled court days.

There is one detention room which can be used to house prisoners. The access route when leading prisoners from the Reliance vehicle to the court room is along an alleyway leading to the public entrance and stairway. Lift access to the building can only be made by prior arrangement with District Court staff and through a number of areas within the Municipal Building. There is no administrative support within the court room.

Greenock Sheriff Court is a mile from the District Court building. Taking into account the close proximity of the Sheriff and District Court buildings and the fact that the Sheriff Court is a recently refurbished four court complex which can accommodate the District Court business, SCS proposes to re-locate Inverclyde District Court business and administrative support to Greenock Sheriff Court building.

3.3 NORTH AYRSHIRE AND EAST AYRSHIRE

North and East Ayrshire each have a District Court sitting within the Sheriffdom and in their respective Council areas.

North Ayrshire

3.3.1 Irvine

North Ayrshire District Court is located on the ground floor of the Town House, Irvine. The court sits two days per week, with a fines court sitting twice per month. The administrative offices and witness rooms are based within the ground floor of the building.

Custody cases are dealt with at North Ayrshire Court on both sitting and non-sitting days. There is a detention room, but this is currently not used by Reliance due to concerns over the suitability of the room. Persons in custody are detained within the Reliance vehicle until required to appear in court. SCS will examine ways of improving the detention room facility with both Council and Reliance.

SCS proposes that the Justice of the Peace Court at Irvine will operate from the current District Court premises at the Town House, Irvine. The administrative staff who will transfer to SCS will initially remain at their present location. They will be fully integrated SCS staff and there will be opportunities in the future for the staff to work at Kilmarnock Sheriff Court.

East Ayrshire

3.3.2 Kilmarnock

In this Sheriffdom, the East Ayrshire District Court sits at Kilmarnock within the second floor of the Civic Hall, Kilmarnock. Lift access to the court facilities is only available by prior arrangement with District Court staff and by admittance through various areas of the Civic Hall. There is a basic public waiting area from which there are two separate witness rooms. There is no office accommodation available within the District Court building.

The administrative staff are based one mile from the court facilities within East Ayrshire Council Headquarters, Kilmarnock.

The District Court building is within a short walk from Kilmarnock Sheriff Court building. SCS proposes to re-locate the District Court business and administrative staff to Kilmarnock Sheriff Court. The Sheriff Court currently has six court rooms one of which cannot presently accommodate criminal court business. SCS will make necessary alterations to the court room accommodation within the Sheriff Court building prior to unification thus ensuring all six court rooms will have functionality for both criminal and civil court business.

Fines and financial penalty collection will be carried out from administration offices within the Sheriff Court building.

3.4 ARGYLLSHIRE

There are five District Court locations sitting at Dunoon, Lochgilphead, Oban, Campbeltown and Helensburgh, which come under the Local Authority area of Argyll and Bute Council.

Argyll and Bute

3.4.1 Lochgilphead

The District Court at Lochgilphead sits within the local Police office one day every four weeks. This is also the location of Dunoon Sheriff Court Annexe, where Sheriff Court sittings are scheduled one day per month.

The court administration for the five District Court locations within Argyllshire, including the collection and enforcement of fines and financial penalties, is centralised with the administrative staff based at Argyll and Bute Council Headquarters, Kilmory, Lochgilphead. The Council operate a restricted facility for the collection of fines and financial penalties in person and by cash only at each of its five Area Corporate Offices at Campbeltown, Dunoon, Helensburgh, Oban and Rothesay.

SCS proposes that Lochgilphead Justice of the Peace Court will sit within the current location of the District Court. The premises will also continue to operate as Dunoon Sheriff Court Annexe.

Administrative staff will transfer to SCS.

The collection and enforcement of fines and financial penalties in respect of Lochgilphead Justice of the Peace Court will be carried out from the administrative offices at Dunoon Sheriff Court.

3.4.2 Oban , Campbeltown and Dunoon

SCS propose that the existing arrangements whereby the District Court sits in the Sheriff Court at these locations will continue with no amendment to the court programme.

Administrative support for the Justice of the Peace Courts in Oban, Campbeltown and Dunoon, including the collection and enforcement of fines and financial penalties, will be located within each of the respective Sheriff Courts.

3.4.3 Helensburgh

The District Court at Helensburgh sits three days per month and is located on the first floor of the Municipal Buildings, Helensburgh.

There is no lift within the building, the heating system within the court room is insufficient and there is no office accommodation or administrative support. There is a detention room on the first floor which is used to house prisoners as and when required. Custody cases are dealt with on days when the court sits. On days when the court is not scheduled to sit, a Justice of the Peace and Legal Assessor are on standby to attend at the court.

District Court administrative staff are based at Argyll and Bute Council Headquarters, Lochgilphead which is sixty five miles from Helensburgh. Administrative work, including fines and financial penalty collection, is carried out from the Council's Headquarters in Lochgilphead. A limited service is available for the collection of fines and financial penalties in person and by cash only at any one of the Council's five Area Corporate Offices, including one at Helensburgh.

Helensburgh is nine miles by car from Dumbarton, with good public transport links. Taking this into account, along with the fact that Dumbarton Sheriff Court is a recently renovated five court complex, the low volume of court business at Helensburgh District Court, the unavailability of lift access, the inadequate heating system and the lack of office space available within the building, SCS proposes to disestablish Helensburgh District Court and the court business will be absorbed into Dumbarton Justice of the Peace Court. The following table on page 17 sets out the profile of volume of business heard at Helensburgh District Court during the period 2005-2009:

| Financial Year | Complaints initiated | Trials assigned | Trials proceeded |
|----------------|----------------------|-----------------|------------------|
| 05/06 | 249 | 41 | 20 (49%) |
| 06/07 | 265 | 49 | 26 (53%) |
| 07/08 | 319 | 137 | 38 (28%) |
| 08/09 | 220 | 83 | 34 (41%) |

The following table provides public transport information from Helensburgh to Dumbarton:

| | BUS | TRAIN |
|---------------------|---|--|
| FREQUENCY | Hourly | Every 30 minutes |
| JOURNEY TIME | 27 minutes | 15 minutes |
| COST | £3.50 - all day multi journey £3.20 - 2 journey off peak £1.60 - single | £4.70 – standard day return £3.30 – off peak return |

4 PROVISION OF LEGAL SUPPORT TO THE JUSTICE OF THE PEACE COURTS AND JUSTICES

4.1 New Posts

SCS has introduced the new post of Sheriffdom Legal Adviser (SLA) to be responsible for the management of all Legal Advisers in the Sheriffdom. The SLA for the Sheriffdom of North Strathclyde has been recruited and has been in post since January 2009.

The Sheriffdom Legal Adviser's main areas of responsibilities will be:

- Managing a team of Legal Advisers;
- Supporting the accurate and efficient delivery of justice in the Justice of the Peace Courts;
- Support the Justices in the execution of the judicial role;
- Oversee the organisation of the Justices' rota;
- Provide legal advice and support to the Sheriffdom Justices committees;
- Organise and deliver training to the Justices.

Legal Advisers' main area of responsibilities will be:

- Providing legal and procedural advice to Justices in court and in chambers;
- Delivery of Justices training within the Sheriffdom;
- Support for the Justices' committees.

4.2 Legal Resources for North Strathclyde Justice of the Peace Courts

Taking into account the number of planned sitting days, the minimum number of Legal Advisers required for the Sheriffdom is 7 full time posts. Currently there are 1.5 Legal Advisers liable to transfer to SCS under TUPE provisions. SCS will recruit Legal Advisers to meet the shortfall in legal resources required to provide full support to the nine Justice of the Peace Courts within North Strathclyde, including the relief capacity to cover unplanned business such as custodies, and to cover annual leave.

It is unknown at this stage if any Legal Advisers will transfer from Argyll and Bute Council as that Local Authority has still to provide final details of their own staffing analysis. Any additional Legal Advisers transferring will therefore have to be factored in to the final numbers available.

SCS will continue to review and monitor both Sheriff and Justice of the Peace Court programmes to identify changes in business volumes as a result of the implementation of summary justice reforms. Any changes in court programmes, including those which may occur in some courts on unification, will require the approval of the Sheriff Principal and be subject to consultation with Criminal Justice partners and stakeholders.

5 ADMINISTRATIVE STAFF

In North Strathclyde there are 27 administrative staff with District Court duties, of which 25 staff are expected to transfer to SCS under TUPE provisions.

No support grade staff, also known as court officers, are eligible to transfer to SCS. SCS will recruit staff where necessary to meet the shortfall in resources required in ample time to allow for the training of staff before unification.

The table on page 19 summarises the numbers of administrative posts, and those expected to transfer to SCS on unification:

| District Court | Non-legal admin staff (full time and part-time) | Approx no. of full-time equivalent (fte) | Potential transferees (those working 50% or more of their time on District Court duties) | Estimated Gap (including additional resources) (fte staff) |
|------------------------------------|--|---|---|---|
| DUNBARTONSHIRE | | | | |
| Dumbarton and Clydebank | 5 | 4 | 5 | 1.5 SGB 2* (this includes court duties for the work transferred from Milngavie and Helensburgh) |
| Milngavie | 1 | 0.8 | 1 | See above |
| RENFREWSHIRE AND INVERCLYDE | | | | |
| Renfrewshire | 4 | 4.0 | 4 | 1.5 SGB 2 (this includes court duties for the work transferred from East Renfrewshire) |
| East Renfrewshire | 3 | 1.8 | 2 | See above |
| Inverclyde | 3 | 3.0 | 3 | 1 SGB 2 |
| AYRSHIRE | | | | |
| East Ayrshire (Kilmarnock) | 4 | 2.5 | 4 | 1.5 SGB 2 (this includes court duties for Irvine JP court) |
| North Ayrshire | 4 | 3.5 | 4 | See above |
| ARGYLL AND BUTE | | | | |
| Oban |) 3 | 2.4 | 2 | 0.7 SGB 2 for court duties at Oban & Campbeltown |
| Campbeltown | | | | |
| Dunoon | | | | |
| Lochgilphead | | | | |
| Helensburgh |) | | | 0.4 SGB 2 for court duties at Dunoon and Lochgilphead |
| Total for Sheriffdom | 27 | 22 | 25 | 6.6 SGB 2 |

6 FINES AND FINANCIAL PENALTIES

Fines enforcement procedures which were implemented on 10 March 2008 will be fully extended to the Justice of the Peace Court fines and financial penalties.

On unification, fines and financial penalties can be paid in any Sheriff or Justice of the Peace Court in Scotland.

Payments will be able to be made by cash, postal order, cheque or debit/credit card. Payments can be made either in person, by post or by telephone.

SCS are currently piloting various additional methods for paying fines and financial penalties including standing orders, which if introduced, will be available to the Justice of the Peace Courts.

7 SUMMARY OF PROPOSALS FOR NORTH STRATHCLYDE

SCS proposes that Justice of the Peace Courts are established as detailed below (also see section 3)

Court Locations following Court Unification

| Sheriff Court District | Present District Court Location | Post Unification JP Court Location |
|------------------------|---------------------------------|---|
| Dumbarton | Dumbarton | Dumbarton Sheriff Court |
| | Clydebank | No JP Court |
| | Milngavie | No JP Court |
| | Helensburgh | No JP Court |
| Paisley | Paisley | Paisley (in former District Court building) |
| | Giffnock | No JP Court |
| Greenock | Greenock | Greenock Sheriff Court |
| Rothesay | None | None |
| Kilmarnock | Kilmarnock | Kilmarnock Sheriff Court |
| | Irvine | Irvine (in former District Court building) |
| Dunoon | Dunoon | Dunoon Sheriff Court |
| | Lochgilhead | Dunoon Sheriff Court Annexe (present location) |
| Oban | Oban | Oban Sheriff Court |
| Campbeltown | Campbeltown | Campbeltown Sheriff Court |

The District Courts in Lochgilhead, Paisley and Irvine will remain sitting in their present locations and will be established as Justice of the Peace Courts.

Oban, Campbeltown and Dunoon Justice of the Peace Courts will continue to sit within their respective Sheriff Court buildings.

Dumbarton, Greenock and Kilmarnock Justice of the Peace Courts will relocate to each of their respective Sheriff Court buildings.

Clydebank, Giffnock, Helensburgh and Milngavie District Courts will be disestablished.

The court business from Giffnock will be transferred to Paisley Justice of the Peace Court. The court business from Clydebank, Helensburgh and Milngavie will be transferred to Dumbarton Justice of the Peace Court.

SCS believes that the proposals outlined in this paper provide the most effective option for the unified administration of the Sheriff and Justice of the Peace Courts in North Strathclyde. SCS believe these proposals will deliver and improve service to the public who use the courts and is the most efficient and cost effective way to provide the services in the Sheriffdom.

A team of Legal Advisers will provide legal support to the Justices. This team will be managed and supported by the Sheriffdom Legal Adviser who will have overall responsibility for supporting the Justices.

There are 25 administrative staff eligible to transfer to SCS under TUPE regulations. Where necessary, SCS will recruit administrative staff and Court Officers to provide support to the Justice of the Peace Courts.