



HOUSE OF COMMONS
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19 December 2012

Response to Consultation on Proposals for a Court Structure for the Future

Dear David,

I am writing to register my strong opposition to the SCS proposal to close Haddington Sheriff and Justice of the Peace Court. While this is a devolved issue and my MSP colleague Iain Gray has been leading the campaign against the proposals, I believe that the closure of the court would have such damaging repercussions for local justice, the economy and the whole county, that it is important for me to also make clear my view that SCS should reconsider the closure.

My central concern about the loss of the court is the fact that it is a focus for the administration of local justice within the county and that its closure could be very damaging to access to the justice system for local people and also the perception of justice being done and seen to be done locally. But numerous groups and individuals have also highlighted to me their wider concerns about the impact the closure would have on both Haddington and the wider county.

I am aware, for example, of the concerns that have been expressed by the Haddington Business Association and the Federation of Small Businesses, among others, about the economic impact of closing the court on local traders. I know that the FSB has highlighted the fact that the proposal to shrink the presence of the court system in Scotland's towns is clearly at odds with the Scottish Government's thinking on town centre regeneration and the town centre review.

Haddington town centre has already suffered greatly during the economic downturn and Haddington Business Association representatives have suggested that closing the court would hit traders again with the loss of significant trade from court users. I believe that there has been insufficient analysis of the economic impact of the proposal and would urge you to do as the FSB has proposed and look again at the wider policy context and the potential impact on economic growth of closing Haddington Sheriff Court.

The concerns raised by East Lothian Council about the potential impact of closing the court could have on vulnerable children and families, is also an issue that alarmed me. Any increase in delays for cases involving child protection issues, or adoption and permanency cases would be totally unacceptable.

East Lothian currently benefits from council and court services co-located in the County Buildings, which supports the development of close working relationships and ultimately provides for a better experience for those using the court system. Breaking up this close working relationship, which has been built up over many years, seems to me to be a foolhardy step which risks undoing a lot of good work and damaging the service provided to some of our most vulnerable court users.

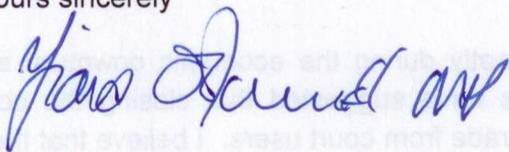
One interesting knock-on impact on a reserved issue which has been highlighted to me is that of action to tackle benefit fraud. Currently, East Lothian Council works with the local police to bring an average of around one benefit fraud case to court each week. The fact that these cases are heard in Haddington and therefore covered by the local press can act as a powerful deterrence to others not to commit benefit fraud. There is a fear that the closure of the court will not only make it harder to bring prosecutions to court but also mean that any cases that are prosecuted will most likely not be covered by the local press, reducing the deterrent effect.

A further area of concern is the possible impact on access to legal advice in East Lothian. If the solicitors currently located in Haddington either go out of business or relocate elsewhere, which is thought to be very likely if the court closes, then access to local paid legal advice will shrink considerably. Haddington CAB has also built up considerable expertise in supporting clients with accessing and navigating the court system, but without having the court across the road, as it currently is, this expertise is likely to be difficult to sustain, thus reducing access to free legal advice.

There are various other aspects of the closure which are of concern, including the additional travel time and cost of accessing the court in Edinburgh; the additional police, social work and other public servant time which would be wasted by travelling to and from Edinburgh and waiting for cases to be heard there; and the potential effect on the recruitment of JPs locally.

Finally, I also share the view expressed by East Lothian Council and Iain Gray MSP that the SCS should look again the Sheriff Court boundaries with a view to considering moving business currently conducted at Duns to Haddington in order to allow it to remain open.

Yours sincerely



Fiona O'Donnell MP
East Lothian