

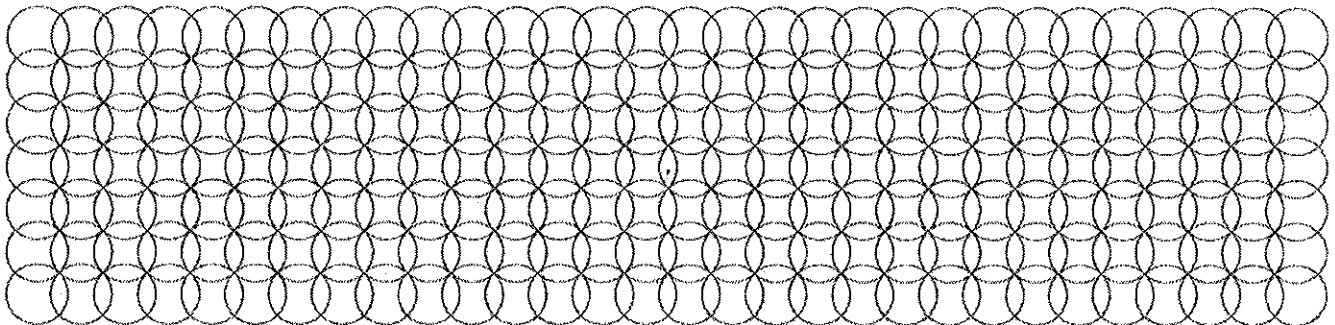


# **Proposal on the provision of courts services in Cheshire and Merseyside**

**Consultation Paper CP03/10**

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Ministry of  
**JUSTICE**

## **Proposal on the provision of courts services in Cheshire and Merseyside**

A consultation produced by Her Majesty's Courts Service, part of the  
Ministry of Justice. It is also available on the Ministry of Justice website at  
[www.justice.gov.uk](http://www.justice.gov.uk)

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## The HMCS national estates strategy

HMCS is committed to providing a high quality courts service within a reasonable travelling distance of the communities that use it, while ensuring value for money for taxpayers.

HMCS currently operates out of 530 courthouses – 330 magistrates' courts, 219 county courts and 91 Crown Court centres.<sup>1</sup> However, the number and location of these does not reflect changes in population, workload or transport and communication links over the years since many of them were opened. This has resulted in some courts sitting infrequently and hearing too few cases. Some buildings do not provide suitable facilities for those attending or are not fully accessible for disabled court users. A number of magistrates' courts do not have secure facilities for prisoners. Other agencies with whom we work across the justice system are also put under strain by the need to work at a number of different courts in the same area, some of which are in close proximity to each other.

When public finances are under pressure, it is vital we eliminate waste and reduce costs. This consultation sets out how we believe we can best meet the justice needs of communities in each area and invites comments on whether work from the courts we propose to close could be moved to nearby courts which have sufficient capacity and, in the majority of cases, better facilities. By using these courts more efficiently we hope to save public money while also improving the services we provide for court users.

We are also consulting on the merger of a number of Local Justice Areas which would enable effective changes to courthouse provision. This will facilitate further efficiency savings in administrative work, whilst ensuring that magistrates continue to provide a vital frontline service to the public.

In order to form the proposals in this document the following principles have been followed:

- improve utilisation to at least 80%;
- provide greater flexibility through co-location of criminal courts and civil courts with tribunal hearing centres;
- plan on a long term basis;
- integrate developing policy and operational changes into estates planning;
- ensure access to courts – enabling the majority of the public to be within a 60 minute commute of their nearest court by public transport;<sup>2</sup>

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<sup>1</sup> A number of courts are co-located or in combined centres.

<sup>2</sup> With consideration given to those who live in rural communities.

- ensure the estate supports the challenges of rural access;
- wherever possible centralise back office functions;
- have specialist facilities in large strategic locations only;
- move towards larger courts;
- maintain properties at an appropriate level; and
- share facilities with the Tribunal Service.

Court users should not have to make excessively long or difficult journeys to attend court, but geographical proximity for all court users should not be the sole (or even primary) concern. Providing people with appropriate access to justice does not necessarily mean providing a courthouse in every town or city. The speed of case outcome, the quality and efficiency of the service we provide, and an environment which commands respect for the justice system and the safety and comfort of court users, are much more significant to the delivery of effective local justice across all communities in England and Wales.

We need to ensure that local communities, including those in rural areas, have access to a court and we seek views on this. At the same time we must be realistic about the frequency with which most people need to visit a court, compared to other services which they use and travel to more regularly such as banks, schools, supermarkets or hospitals.

We need to consider the required courts estate in the context of the falling workload which is being dealt with in a more efficient and timely way as a result of close partnership working between HMCS and the judiciary. At the same time, we have been careful to ensure that there remains sufficient capacity within the remaining courts to accommodate any future increases in workload.

This consultation will take account of all of these factors plus any additional relevant considerations which are put forward during the consultation period.

## Introduction

This paper announces proposals that will enable HMCS in Cheshire and Merseyside to provide vital public services whilst reducing the cost for the taxpayer.

Feedback to the questions set out in the consultations will enable us to ensure that courts remain in the most important strategic locations, that communities continue to have access to courts within a reasonable travelling distance, and that cases are heard in courts with suitable facilities which will in turn reduce the overall costs. At the same time, we have been careful to ensure that there would be sufficient capacity within the remaining magistrates' courts should there be a decision to increase their sentencing powers in the future.

The consultation seeks the views of everyone with an interest in local justice arrangements. The Lord Chancellor will take all views expressed into account before making any decision on which courts ought to be closed and when.

This consultation is being conducted in line with the Code of Practice on Consultation issued by the Cabinet Office and falls within the scope of the Code. The consultation criteria, which are set out on page 35 have been followed.

A preliminary Impact Assessment and Equality Impact Assessment initial screening have been completed, which will be developed during the consultation period. A copy of the initial Impact Assessment, the initial screening for an Equality Impact Assessment and the Rural Proofing checklist is available at [www.justice.gov.uk](http://www.justice.gov.uk).

Copies of the consultation paper are being sent to:

- Local MPs;
- Local Constabulary;
- Crown Prosecution Service – Chief Crown Prosecutor;
- Director of Offender Management;
- Civil Court Users Association;
- District and County Councils and Local Authorities;
- Local Courts Board;
- Local Criminal Justice Boards;
- Judicial Issues Group;
- Local Bench Chairs;
- Criminal Defence Service;

- Law Society;
- Bar Council;
- Local legal practitioners;
- Senior Presiding Judge;
- Presiding Judge;
- Senior District Judge
- Association of HM District Judges;
- District Judge (Magistrates' Court);
- The Chief Magistrate;
- Magistrates' Association;
- National Bench Chairs Forum;
- Justices' Clerks' Society;
- Lord Lieutenant;
- High Sheriff;
- Witness Care;
- Victim Support;
- Youth Offending Teams;
- Prison Escort and Custody Service;
- The Coroners Service; and
- Trades Unions (PCS, FDA and Prospect).

This list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest in or views on the subject covered by this paper.

This consultation is also available at [www.justice.gov.uk](http://www.justice.gov.uk).

A map of proposals set out in this consultation paper is available at Annex A.



## **Magistrates' courts in Merseyside**

### **The need for change**

HMCS currently operates magistrates' courts in Liverpool, Wirral, North Sefton (Southport), South Sefton (Bootle), St Helens and Knowsley.

It also operates the North Liverpool Community Justice Centre, which sits five days per week as a Magistrates' Court and once per month as a Crown Court for sentence hearings only.

The location of these seven courts does not reflect changes in population, workload or transport and communication links since they were originally opened. The overall reduction in workload in magistrates' courts has led to a utilisation<sup>3</sup> rate in Merseyside of 59.6% in 2009-10.

There are currently six Local Justice Areas within the LCJB area, each with a separate bench of magistrates as follows:

- The Liverpool bench has 290 magistrates;
- The Wirral bench has 201;
- The North Sefton bench has 72;
- The South Sefton bench has 113;
- The St Helens bench has 134; and
- The Knowsley bench has 104

Through operating out of this number of magistrates' courts HMCS is unable to provide an efficient service in Merseyside. The current justice area structure prevents magistrates from being deployed flexibly or sharing their vital expertise and experience with a wider community that would benefit.

By implementing the proposals set out below we believe that HMCS can make better use of the remaining estate and significantly reduce costs both to HMCS and other agencies within the criminal justice system.

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<sup>3</sup> Courtroom utilisation is the time a courtroom is used, against the hours that a courtroom is available for use.

## The proposal

- To continue to operate magistrates' courts in Liverpool, Wirral, South Sefton (Bootle) and St Helens;
- To close the magistrates' courts in North Sefton (Southport) and Knowsley;
- To merge the Local Justice Areas of Liverpool and Knowsley to create Liverpool and Knowsley Local Justice Area; and
- To merge the North and South Sefton Local Justice Areas to create a single Sefton Local Justice Area.

## **North Sefton (Southport) Magistrates' Court**

Southport Magistrates' Court is the only criminal court in the North Sefton Local Justice Area. The court sits three days per week, with hearings covered by magistrates from the local bench and three part-time ushers based on site. The administration of the court is undertaken by a legal advisor and support staff from its linked court at South Sefton (Bootle), 18.7 miles away. A Court Manager, in partnership with a Deputy Justices' Clerk and support team, run both sites from South Sefton, where the court files are retained and all administrative work is handled. Under the proposal, North Sefton would close and all its hearings would transfer to South Sefton Magistrates' Court, which has recently been established as a Model Court.

The proposal would also result in the merger of North Sefton Local Justice Area, which has a bench of 72 magistrates and South Sefton Local Justice Area, which has a bench of 113.

### **Workload**

North Sefton deals with a full range of magistrates' court work. Due to the level of work in the area the court only sits for three days a week and uses only one of its four courtrooms on a regular basis.

### **Accommodation**

The North Sefton court was built between 1917 and 1938. It is shared in part with the Police and joined to the local Police Station. It has four courtrooms, two with secure docks.

The court's witness facilities are described as very poor and, due to the lack of dedicated toilet facilities, witnesses have to be escorted to staff toilets on the secure side of the building. The main issue is the under utilisation of the building resulting in inefficiency and administrative costs. As well as regularly only using a quarter of the courtrooms, the court has vacant space on the ground floor, which is in a state of disrepair.

Plans to integrate Southport County Court into the building were abandoned on cost grounds and that court is now also proposed for closure (see below).

### **Location**

Southport town centre, where North Sefton Magistrates' Court is based, is 18.7 miles from Bootle, where South Sefton Magistrates Court is located. Frequent buses and trains link the two.

A train journey from Southport to Bootle takes 33 minutes (costing £4.40 return) and both stations are in reasonable walking distance of the town centre and courts. The bus journey takes 55 minutes, but involves very little walking

as buses stop outside the court in Bootle. Services run every fifteen to 30 minutes daily. The bus costs around £4.20 for an adult day saver ticket.

### **Staff implications**

There are currently three part-time staff based at North Sefton Magistrates' Court.

Other staff who currently work at North Sefton on a rota basis are based at South Sefton Magistrates' Court.

HMCS will engage with staff and the Trades Unions throughout the consultation process.

### **Cost implications**

The 2009/10 operating cost<sup>4</sup> of North Sefton (Southport) Magistrates' Court was £161,435. The closure of Southport court house would also remove the need for HMCS investment in backlog maintenance of around £285,000.

### **Implementation**

Should the decision to close North Sefton (Southport) Magistrates' Court be taken, a full implementation plan will be produced to ensure the smooth transfer of work

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<sup>4</sup> 2009/10 HMCS operating costs (excluding staff and non cash costs).

## **Merger of North and South Sefton Local Justice Areas to form Sefton Local Justice Area**

There are currently 72 magistrates on the North Sefton Bench and 113 magistrates on the South Sefton Bench.

By merging the Local Justice Areas and Benches Sefton will have a larger pool of magistrates through which to undertake their vital role and to fulfil all of the necessary statutory positions.

As part of the Sefton Bench, magistrates would have greater scope to deal with a variety of work, broadening their experience and making it easier for them to maintain their range of competencies.

A merger of the benches would also reduce the amount of administrative work involved in organising and attending separate bench and committee meetings. This would facilitate further efficiency savings whilst enabling an effective service to continue to be provided with increased flexibility.

## **Southport County Court**

Southport County Court has jurisdiction for the full range of civil and family work except for bankruptcy. Under this proposal Southport would close and the bulk of its workload would transfer to the modern Civil and Family Justice Centre in Liverpool. As some parishes to the north of Southport are closer to neighbouring Preston, the small proportion of work associated with these areas would be transferred to Preston County Court, which belongs to the Cumbria and Lancashire HMCS Area. Further work is being undertaken to determine the proportions of work that would be transferred to each of these two locations.

### **Workload**

The court operates five days per week with one full-time District Judge and a second District Judge for approximately half of the time available.

### **Accommodation**

Southport County Court is a minor occupier in a shared 1960s building, which is in a poor condition (although Disability Discrimination Act (DDA) compliant). The main occupier is seeking to vacate the building putting the continued occupancy of HMCS under threat. The current lease arrangement, which is renewed every five years, is due to expire in 2011. The court has two civil hearing rooms and occasionally uses a courtroom in Southport Magistrates' Court, which is also proposed for closure.

### **Location**

Liverpool Civil and Family Justice Centre is 21.3 miles from Southport town centre. There are good transport links between Southport town centre and Liverpool city centre. The train journey between the two takes 42 minutes and the train station is adjacent to the court in Liverpool. An alternative bus service takes one hour nine minutes. Both services run daily every fifteen to 30 minutes. The train costs £4.40 return and day bus pass costs approximately £4.20.

### **Staff implications**

There are currently nine staff based at Southport County Court.

HMCS will engage with staff and the Trades Unions throughout the consultation process.

### **Cost implications**

The 2009/10 operating cost<sup>10</sup> of Southport County Court was £162,819?. The closure of Southport court house would also remove the need for HMCS investment in backlog maintenance of around £50,000.

### **Implementation**

Should the decision to close Southport County Court be taken, a full implementation plan will be produced to ensure the smooth transfer of work.

### **Counter Services**

The proposed closure would also involve the loss of the counter service currently offered at Southport County Court between 10.00am and 4.00pm every day. Alternative counter services are available at Liverpool Civil and Family Justice Centre between 10.00 am and 4.00pm daily.

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<sup>10</sup> 2009/10 HMCS operating costs (excluding staff and non cash costs).