



Ministry  
of Justice

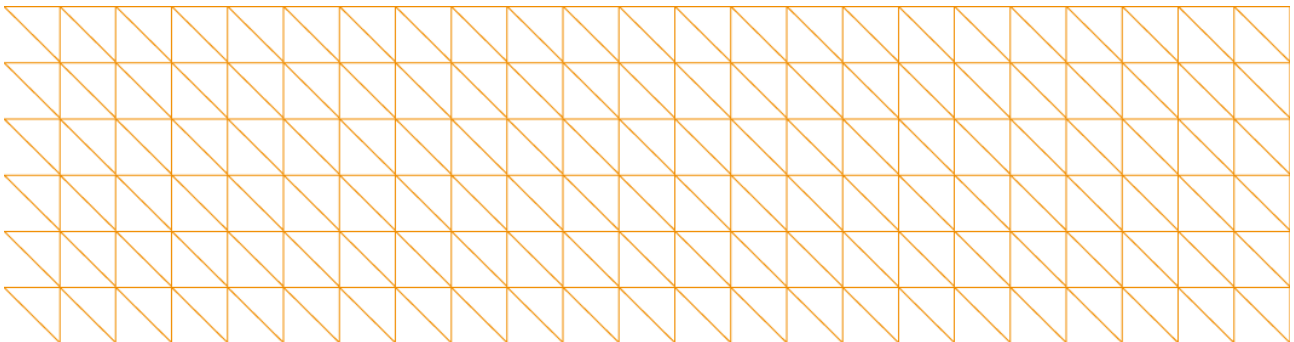


**Cambridgeshire and Essex  
Judicial Business Group**

# **A Consultation on the Merger of the Local Justice Areas in Cambridgeshire**

## **Response to Consultation**

This response is published on 5<sup>th</sup> September 2014





**Ministry  
of Justice**



**Cambridgeshire and Essex  
Judicial Business Group**

## **A Consultation on the Merger of the Local Justice Areas in Cambridgeshire**

**Response to consultation carried out by Her Majesty's Courts and Tribunals Service, part of the Ministry of Justice, and the Judicial Business Group for Cambridgeshire and Essex. This information is also available on the Ministry of Justice website at <https://consult.justice.gov.uk/digital-communications/cambridgeshire-lja-merger>**

## Contents

Introduction and contact details	3
Background	4
Summary of responses	7
Conclusion and next steps	9
Consultation principles	12
Annex A – List of respondents	13
Annex B – County Map Showing Courthouses and Local Justice Area Boundaries	14
Annex C: Travel	15

---

**A Consultation on the Merger of the Local Justice Areas in Cambridgeshire**

Response to Consultation

## Introduction and contact details

This document is the post-consultation report for the consultation paper, A Consultation on the Merger of the Local Justice Areas in Cambridgeshire.

It will cover:

- the background to the consultation
- a summary of the responses to the consultation
- a detailed response to the issues raised; and
- the next steps following this consultation.

Further copies of this report and the consultation paper can be obtained by contacting **Siân E. Jones** at the address below:

**HM Courts and Tribunals Service  
South East Regional Support Unit  
Post Point 9.05  
102 Petty France  
London SW1H 9AJ**

**DX 152380**

**Email: [SouthEastRSU@hmcts.gsi.gov.uk](mailto:SouthEastRSU@hmcts.gsi.gov.uk)**

This report is also available on the Ministry's website: <https://consult.justice.gov.uk/digital-communications/cambridgeshire-lja-merger>.

Alternative format versions of this publication can be requested from the above address.

### **Complaints or comments**

If you have any complaints or comments about the consultation process you should contact Her Majesty's Courts and Tribunals Service at the above address.

## **Background**

### **The Consultation**

In 2013 the Cambridgeshire Judicial Issues Group determined to explore the merits of merging the three Local Justice Areas (LJA, or Bench) in Cambridgeshire into a single bench to be known as the Cambridgeshire LJA and established a working group of magistrates and HM Courts and Tribunals Service staff.

In 2014 the Cambridgeshire and Essex Judicial Business Group (JBG) resolved to proceed to consultation on the proposal. The consultation paper *A Consultation on the Merger of the Local Justice Areas in Cambridgeshire* was published on 27<sup>th</sup> May 2014. It invited comments on the proposed merger, asked for additional impacts other than those identified in the paper, asked if additional factors should be taken into account and sought viable alternative options. The consultation closed on 8<sup>th</sup> July 2014. A list of respondents is at Annex A.

### **Local Justice Areas in Cambridgeshire**

There are three LJAs in Cambridgeshire, Huntingdonshire, North Cambridgeshire, and South Cambridgeshire. There are 36 magistrates assigned to the Huntingdonshire LJA, 85 to North Cambridgeshire and 81 to South Cambridgeshire. They are thus among the smallest benches in England.

North Cambridgeshire and South Cambridgeshire LJAs were created in 2011 through merger of Peterborough and Fenland, and Cambridge and East Cambridgeshire, respectively, following the decision to close the courthouses in Wisbech and Ely (see map on page 14). CPS and police prosecutions from Wisbech and environs are heard across the border in Norfolk, in King's Lynn and Norwich.

Road traffic prosecutions for Cambridgeshire are centralised in Peterborough and most non-police business is centralised in Huntingdonshire, with some in the other two courts. There is a well-regarded specialist domestic violence court for North Cambridgeshire, but no special provision in the rest of the County, where domestic violence offences are also common.

There are two youth courts, one for Huntingdonshire and Peterborough sitting in Peterborough, and one for South Cambridgeshire sitting in Cambridge. Volumes are extremely low, with the South Cambridgeshire youth court in particular sitting only once a fortnight. The family court sits in Peterborough Combined Court and Cambridge County Court. The Care Centre and main family office is in Peterborough. Family business is rising, albeit from a low baseline.

A predominantly rural county, Cambridgeshire includes the university city of Cambridge, the market towns of St Ives, Huntingdon and St Neots, the historic Fenland towns of Ramsey, Chatteris, Wisbech, Whittlesey and March, the historic cathedral city of Ely and the city of Peterborough, a regional centre for commerce, industry, transport and leisure. Population is rising at a faster rate than any other county in England. Apart from Peterborough, which has the highest crime rate in the county by far, and to a lesser extent

Cambridge, criminal business is fairly evenly spread across the county. There is a significant population of recent immigrants whose first language is not English.

Travel distances across the county are summarised in Annexe C. Roads are generally adequate; the A1(M) runs down the west side of the county, and the M11 in the south east, however the main east-west artery, the A14, is very congested at peak times. Public transport is variable. Peterborough is a transport hub, but the east of the county is less well served.

Most travel times between the county and the three courthouses take less than an hour. The longest travel time by car between a populous town and a court house is 1 hour 9 minutes from Wisbech to Cambridge; Wisbech to Cambridge is also the longest time by public transport at two hours five minutes if arrival is before 10 a.m.(however the travel time drops to one hour 22 minutes to arrive at 10.15). No other journey from a centre takes more than 80 minutes.

#### *Huntingdonshire LJA*

The Huntingdonshire Bench covers the area of Huntingdonshire District Council. The largest town in the LJA is St Neots, while Huntingdon is the administrative centre. The majority of defendants do not live in Huntingdon. Much of the business occurs outside the borders of the LJA.

The courthouse was opened in 2007 as a combined Crown and Magistrates' Court. The Crown Court no longer sits in the building and magistrates' court business is heard on three days a week. The courthouse is also used by the Employment Tribunal whose regional office is housed in the building. It is a magistrates' courts hearing centre only. Facilities are excellent.

#### *North Cambridgeshire LJA*

The North Cambridgeshire LJA was formed in 2011 from the former LJAs of Peterborough and Fenland, and covering the same local authority areas. Peterborough is the largest settlement in the County. Unlike the rest of Cambridgeshire, the majority of defendants who appear before the LJA live in the same City as the courthouse.

The courthouse is in Peterborough and houses the administration centre for the county. The courthouse was purpose-built in the 1970s and facilities are good. One courtroom is currently used by the Crown Court, whose main building is across the road in the Combined Court Centre, as is the family court.

#### *South Cambridgeshire LJA*

The South Cambridgeshire LJA was formed in 2011 from the former LJAs of Cambridge and East Cambridgeshire. It covers the local government areas of Cambridge City, East Cambridgeshire and South Cambridgeshire. The majority of its defendants do not live in the City. Some non-police business for Cambridgeshire and Essex is centralised there, and it houses some trials from North-West Essex.

The courthouse, which was opened in 2008, is in a shopping mall. Facilities are good, however the accommodation is leased and is now too large both in terms of courtrooms and office accommodation, as it is now only a hearing centre.

## **Rationale**

The Judicial Business Group identified three key reasons for considering merger:

- to improve the effectiveness of the delivery of justice by improving flexibility in listing cases;
- to make better use of resources, particularly staff; and
- to increase the opportunities for magistrates to retain experience and thus competence.

The JBG had to address the issues of the significant reduction in magistrates' sittings against a background of a falling criminal caseload and rising family caseload, while taking into account the resources available to HM Courts and Tribunal Service and criminal justice partners.

The division of the business within three LJAs in the County means that the work has to be organised, not according to efficiency, resources, or the needs of individual cases, but by LJA boundaries. Falling caseload has exacerbated the problems this causes. The result is that there are courts in Cambridgeshire with too little business in them which makes it difficult for HMCTS to make the best use of its resources and places a large burden on criminal justice partners such as the Crown Prosecution Service (who have to make savings of 27% by 2015), the Probation Service, Youth Offending Teams and defence practitioners. One key factor which affects the ability of all these partners to manage within their resources is the number of courts they are required to cover.

The low level of business in these courts reduces the experience of many magistrates, with a risk to their competence.

The division also fosters delay since courts have to be held at longer intervals than would be the case if all the work were organised within a single LJA. This impacts negatively on victims, witnesses, defendants and, where defendants are held in custody, the Prison Service. Criminal breach proceedings are delayed by the legal requirement that they are heard in the LJA where the defendant lives, particularly where the defendant has been arrested and the relevant court is not sitting. This is a special issue in Huntingdonshire where the court does not sit every day.

The existence of three LJAs triplicates the number of meetings which have to be serviced by managers and support staff.

## **Impacts**

No additional impacts beyond those identified in the Impact Assessment were identified by those responding to the consultation, apart from the suggestion by two respondents that magistrates who were working might be deterred from applying to be Bench Chairman by the burden of the office. The sub-group considered that this was inherent in the role in any LJA, and that evidence showed it was not an inevitable consequence in any event. Therefore the consultation stage Impact Assessment has not been revised.



## Summary of responses

1. A total of 16 responses were received, one shortly after the closing date. Of these:

- five were from individual magistrates,
- three were on behalf of benches or panels of magistrates
- one was from the Regional Employment Judge,
- one was from the Crown Prosecution Service
- five were from local authorities
- one (after the closing date) was from Cambridgeshire Police

Of these, ten (including most magistrates, the Crown Prosecution service and the late submission from Cambridgeshire Police) were in favour of the changes, two expressly opposed the changes and four could be categorised as ambivalent. Although they stated that they did not oppose the merger, and appreciated the rationale behind it, they had concerns about certain aspects.

2. The Sub-Group reviewed the responses for any fresh considerations and additional impacts which had not been foreseen.

3. Supportive responses included the following

- Will allow the flexibility required to effectively manage the caseload, reduce delays and provide a more consistent service;
- Will give the flexibility to better match the courts with the number of available Legal Advisers;
- Savings to HM Courts and Tribunal Service, the Crown Prosecution Service and the National Probation Service;
- In order to deliver the Transforming Summary Justice programme, it will be essential to have sufficient flexibility within the listing schedule to meet the key aspects of the programme;
- Would allow the workload to be shared between magistrates around the County, with the potential to equably share the numbers of sittings and the variety of work between them;
- Magistrates could gain additional experience (for example by extending the specialist domestic violence court);
- The proposal will make the most of the experience and competence within the local Magistracy;
- Merger of youth panels may benefit magistrates in the variety of cases which they hear and as a result bring benefits in terms of competence;

- A single youth panel might increase the ability to list a youth bench at short notice.

4. Concerns included the following :

- The consultation document did not contain hard data about the value of the savings to be achieved;
- Users, particularly defendants, would have longer distances to travel at increased cost with particular impacts on poorer users;
- Would only increase magistrates' experience if they were willing to travel to all three courthouses;
- Increased travel for magistrates, lengthening the working day;
- Increased demand on the Bench Chairman, restricting availability of the role to people with the time to devote to it;
- Increased complications of the judicial sittings rota, taking into account preferences for locations as well as availability;
- Loss of morale and team spirit among magistrates;
- More challenging to establish working relationships between magistrates and with other , court staff and court users;
- The impact on local justice as magistrates' knowledge does not extend to the whole of Cambridgeshire;
- Would make cessation of magistrates' courts in Huntingdon more likely;

Some of the concerns expressed addressed possible listing schedules following merger:

- Concerns that centralizing youth business in a single courthouse would place an unjust burden on defendants and their families in other parts of the county;
- Concerns by several local authorities that their cases would be centralised in another town or city, with an unfair impact on low-income parties and additional cost to the authority;

5. One alternative proposal was put forward. This was to merge the North Cambridgeshire and Huntingdonshire LJAs, and both youth courts, and create a county-wide domestic violence court, leaving South Cambridgeshire as a single LJA, followed by a possible further merger of the new LJA with South Cambridgeshire in 18 – 24 months. It was suggested that this would minimise disruption of services and maintain the morale of the Justices.

## Conclusion and next steps

1. The Judicial Business Group (through its Bench Merger Sub-Group) has reviewed the responses and the proposed alternative.
  - Most respondents, including some who opposed the proposal, accepted the identified benefits in terms of flexibility and cost. Flexibility in listing has a direct impact on users and the wider considerations of justice, for example in reducing delay
  - The Transforming Summary Justice programme was launched during the consultation. It was noted that one key component of the programme – the brigading<sup>1</sup> of guilty and not guilty plea cases – would be facilitated by merger. At present brigading is not possible in Huntingdonshire because of low volumes of first hearing cases, so it is not possible to hold a regular not guilty plea court.
  - Travel – This impact had been identified in the original consultation document. It should be noted that due to the size of the County and previous LJA mergers, many defendants already have to make significant journeys under the current regime, for example defendants from Ely have to travel to Cambridge. In some cases the current boundaries prevent defendants from attending the nearest court, for example Yaxley in Huntingdonshire is only five miles from Peterborough, but 21 miles from Huntingdon. This means that moving work around the county is likely to reduce the journey of some defendants and witnesses, while, it is accepted, increasing it for others. Courts can often be flexible about arrival times, and in a single LJA it would be easier to move hearings to a courthouse closer to the parties.
  - The actual impact of travel on public, professionals and magistrates will be created not by merger by itself but by the changes to the court schedule and magistrates' rota which merger will enable. The JBG is alive to the need to minimise inconvenience and will consult with users before implementing a new schedule. There is no doubt that one of the benefits in terms of flexibility would be to allow the centralization of some work. This could mean longer distances to travel for some defendants and witnesses. However this is already the case to a considerable extent. For example TV licence prosecutions for Cambridgeshire and Essex are all heard in Huntingdonshire, without any apparent adverse impact, as individuals who wish to attend court and have difficulties travelling have their cases moved to their local court. A single bench could list trials in all three sites, which, in addition to the benefits in terms of delay, could be more convenient for parties, as offences do not always take place where defendants and witnesses live.
  - It was recognised by respondents that merger could increase magistrates' experience by sharing work more evenly around the county, however it is correct

---

<sup>1</sup> Brigading in this context means listing cases with likely Not Guilty pleas in a specific court separate from Guilty plea cases to allow the court to concentrate on their case management.

that magistrates will benefit most from this only if they are prepared to travel. The intention of the JBG is that magistrates may nominate a preferred courthouse where the majority, at least, of their sittings would be allocated.

- The issue of local justice had been considered by the Sub Group. It was noted that the size of the current LJAs means that few magistrates would be familiar with every locality in their LJA on appointment. The knowledge magistrates have of relevant issues in their LJA arise principally from their experience as magistrates, rather than as members of the public, particularly since many magistrates do not live in their LJA. With expanded experience, that knowledge would also expand.
- The criticism of the consultation document for its lack of hard data about savings did not impact on the issues which had led the JBG to consider merger and which the Sub-group had considered. The objective of the merger is not to make savings but (among other things) to operate within the resources already assigned.
- The Sub Group considered the concerns expressed about pressure on Bench Chairmen. The Group agreed that the burden on Bench Chairmen would be greater with a bench of 200. However it was noted that the merged bench would not be large in modern terms, (for example there are 224 magistrates in North Essex and 283 in Norfolk) and so it is clear that chairmen of benches of over 200 can operate effectively, particularly if they share the burden with their Deputy Chairmen. In any event, the Sub-Group considered that the impact on the Bench Chairman could not outweigh all the reasons in favour of merger.
- The Sub-Group had anticipated that the magistrates' rota would be more complicated with merger, having to take into account more than one courthouse and personal preferences. However that is already the case to some extent in Cambridgeshire, where magistrates from all three benches sit in the family and road traffic courts. There is also a body of experience to draw on in the cluster from North and South Essex, who have been operating a similar rota for several years successfully, and a new national rota package is being adopted which will be able to cope with even higher levels of complexity.
- In relation to morale and team spirit, several magistrates in their responses noted that this was already an issue, as manifested, for example, in low attendance at bench meetings and social events. Two respondents recommended that this matter should be addressed as part of the merger process.
- There are no plans to remove magistrates' courts from Huntingdon, it was not part of the objectives of the Sub-Group and it is not an inevitable or even a likely consequence of merger. On the contrary, workload in Huntingdonshire is very low and court sittings are only maintained in Huntingdon at their present level by listing centralised work from the whole county and beyond. Merger could enable further business to be listed in the courthouse while ensuring that cases from Huntingdonshire are case managed to the same standard (i.e. in specific guilty and not guilty plea courts) as the rest of the county, which is not possible with the small volumes of the current LJA.
- The Sub-Group re-examined the proposal of a partial merger followed by a full merger two years later. It did not consider it would bring any benefits, but would simply protract the process and delay full realization of the benefits. In particular it would deny the South Cambridgeshire Bench most of the benefits, would still

present the challenge of how to list youth work and would reduce the options to match the number of courts to resources. It was also noted that the merger process itself consumed staff resources.

2. Having carefully considered the various responses to the consultation the JBG concluded by a majority that the proposed merger should be put forward for approval. Whilst recognising that valid concerns had been raised the Group was persuaded by the majority of respondents who supported the proposal and noted that even those who opposed it could see merit in it
3. As a result the Judicial Business Group has recommended to the Lord Chancellor that he amalgamates the three benches to create a single Cambridgeshire Local Justice Area. It is hoped that, following the approval of the Senior Presiding Judge on behalf of the Lord Chief Justice, the Lord Chancellor will sign the order in the autumn.
4. Thereafter the expectation is that the merged bench would come into being on 1<sup>st</sup> April 2015. A shadow Judicial Leadership Group would start to meet in the autumn of 2014 to make the arrangements for the operation of the future bench. The Justices' Clerk's staff will begin the process of drawing up the new court schedule, which will be the subject of consultation with court users and approved by the judiciary, The points made about the future listing schedule in the consultation responses will be taken forward into that work.

## **Consultation principles**

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/Consultation-Principles.pdf>

## Annex A – List of respondents

Sarah Asbrey: Senior District Crown Prosecutor, CPS, East of England

Richard Byrne, Regional Employment Judge

Henry Emblem JP: Chair Huntingdonshire Bench

Ann Enticknap: Deputy Town Clerk, St Ives Town Council

Dr Trevor Evans CBE JP: Huntingdonshire Bench

Susannah Farmer: Deputy Town Clerk, Wisbech Town Council

Sarah Hughes: JP North Cambridgeshire Bench

Inspector Dominic Human, Cambridgeshire Police<sup>2</sup>

Huntingdonshire Bench

Clive Lennon, Town Clerk, March Town Council

Susan Mahmoud JP: North Cambridgeshire Bench

Paul Redhead JP, South Cambridgeshire Bench

Michael Rown: Peterborough City Council

Nicola Silverleaf JP: Chair, South Cambridgeshire Bench (collated responses from magistrates into a single response)

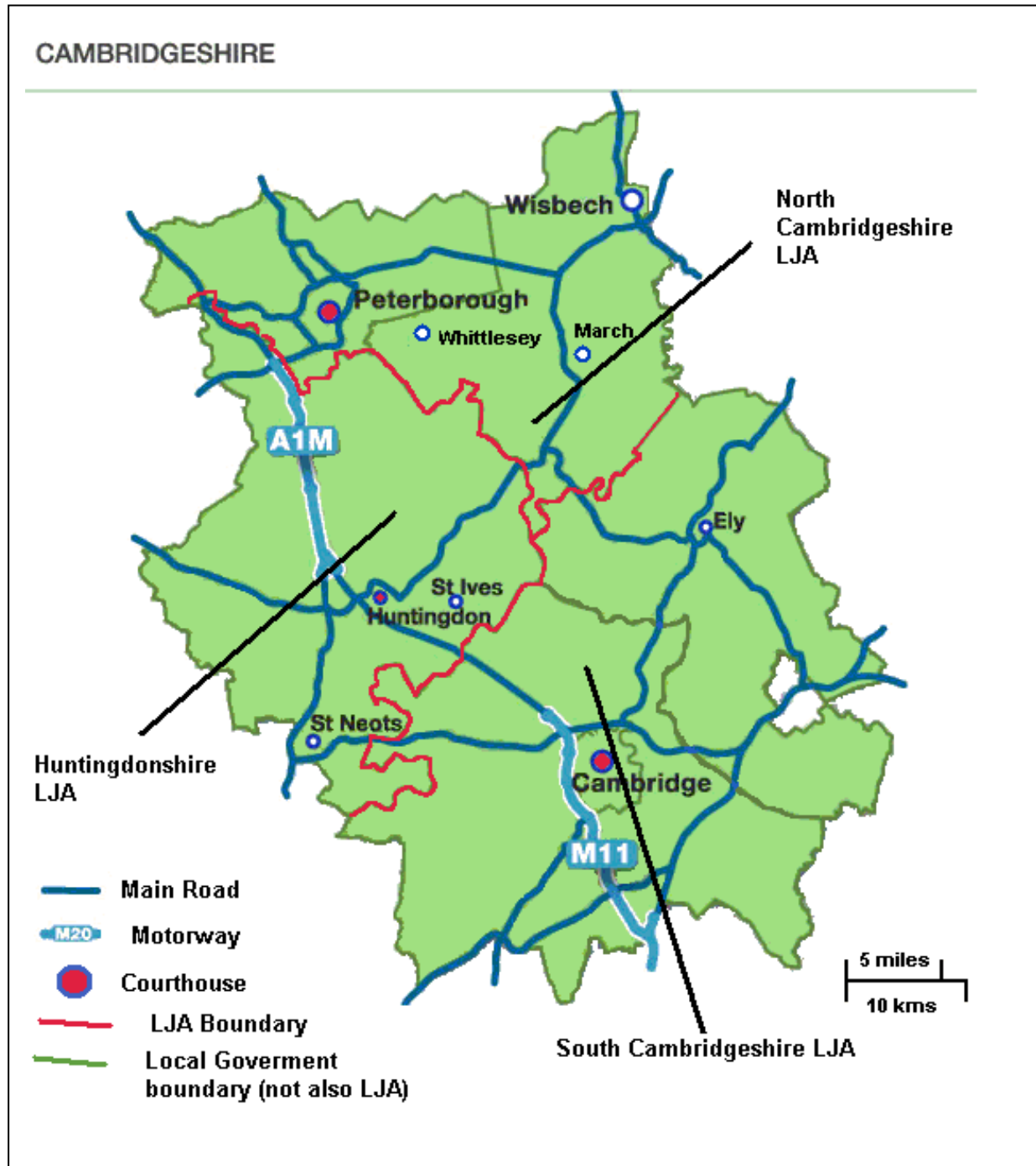
Sarah Steed: Senior Legal Assistant, East Cambridgeshire District Council

Ann Wade: Chair, on behalf of the South Cambridgeshire Youth Panel

---

<sup>2</sup> After the closing date

## Annex B – County Map Showing Courthouses and Local Justice Area Boundaries



Towns shown with populations in excess of 15,000.



## Annex C: Travel

### Travel distances and times by car and public transport from all centres exceeding 15,000 population

Journey times and distances are from centre of town or city, actual distances for individuals will vary. Public transport times are based on arrival at 9.45 a.m.– off-peak times may be longer or shorter, but only significant differences are noted.

	Cambridge Courthouse			Huntingdon Courthouse			Peterborough Courthouse		
	Miles	Time (minutes)		Miles	Time (minutes)		Miles	Time (minutes)	
		Car	P/T		Car	P/T		Car	P/T
Peterborough	38	48	72	20	29	20	0	0	0
Cambridge	0	0	0	18	30	76	36	51	77
Wisbech	40	69	125 <sup>1</sup>	32	50	86	22	35	53
St Neots	19	33	49	10	21	37	26	37	62
Huntingdon	19	29	67 <sup>2</sup>	0	0	0	21	35	30
Ely	17	33	39	23	42	80 <sup>3</sup>	31	49	50
March	35	57	56	22	37	63 <sup>4</sup>	19	34	31
St Ives	16	25	48	9	16	30	26	37	77
Whittlesey	43	53	66	19	34	39	6	13	24

Source: Google Maps.

<sup>1</sup> 82 minutes to arrive after 10.00 a.m.

<sup>2</sup> 42 minutes to arrive after 10.00 am.

<sup>3</sup> 69 minutes to arrive after 10.00 a.m.

<sup>4</sup> 48 minutes to arrive after 10.00 a.m.

© Crown copyright 2014  
Produced by the Ministry of Justice

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk)

Where we have identified any third party copyright material you will need to obtain permission from the copyright holders concerned.

Alternative format versions of this report are available on request from [SouthEastRSU@hmcts.gsi.gov.uk](mailto:SouthEastRSU@hmcts.gsi.gov.uk).