

Response to the proposal on the future of North Liverpool Community Justice Centre

Response to consultation carried out by HM Courts & Tribunals Service,
part of the Ministry of Justice.

This information is also available on the Ministry of Justice website at consult.justice.gov.uk/

Contents

Introduction and contact details	4
Background	5
Summary of responses	6
Responses to specific points raised	7
Conclusion and next steps	23
Consultation principles	24
Annex A – List of respondents	25
Annex B – Comparison of travel times between NLCJC and Sefton Magistrates' Court	26

Introduction and contact details

This document is the post-consultation report on the consultation paper, 'Proposal on the future of North Liverpool Community Justice Centre', published on 17th July 2013.

It covers:

- the background to the paper
- a summary of the responses to the paper
- a detailed summary of points raised by those who responded
- the next steps following the consultation

Further copies of this report can be obtained by contacting Mark Williams at the address below:

HMCTS North West Regional Support Unit
Manchester Civil Justice Centre
1 Bridge Street West
Manchester M60 1TE

Telephone: 0161 240 5817

Email: mark.williams4@hmcts.gsi.gov.uk

This report is also available on the Ministry of Justice's website:
consult.justice.gov.uk/

Alternative format versions of this publication can be requested from Mark Williams.

Complaints or comments

If you have any complaints or comments about the consultation process you should contact HM Courts & Tribunals Service at the above address.

Background

The consultation paper 'Proposal on the future of North Liverpool Community Justice Centre' was published on 17th July 2013.

The consultation invited comments on the proposed closure of the North Liverpool Community Justice Centre and subsequent transfer of the work of the Centre, and the principles of its problem solving approach, to Sefton Magistrates' Court.

The local consultation was aimed at court users, staff and other parties with an interest in the provision of local justice arrangements in the North West of England, and in particular, the Merseyside Region.

The consultation period closed on 27th August 2013, and this report summarises the main points raised by respondents, sets out HMCTS's response and confirms the outcome.

The Impact Assessment accompanying the consultation has been updated to take account of evidence provided by stakeholders during the consultation period. The updated Impact Assessment is attached.

A list of respondents is at Annex A.

Summary of responses

The consultation paper invited responses to the following questions.

1. What comments would you like to make about the proposed closure of the North Liverpool Community Justice Centre and the transfer of workload to Sefton Magistrates' Court?
2. Please describe any particular impacts that should be taken into account and why.
3. Will the closure of the North Liverpool Community Justice Centre have a direct impact on you? If so, please provide additional details.

However, not all respondents opted to submit their views in this way and, as the whole range of detailed responses were analysed, it was evident that respondents were raising points on specific themes. These were:

- Capacity / Workload
- Transfer of work and facilities at Sefton Magistrates' Court
- Costs
- Effect on cross CJS working and the NLCJC's achievements since 2005
- Travel
- Local justice
- Impact on local business
- Alternative suggestions
- Timing of the Consultation

The points raised, and HMCTS' response to them, have therefore been presented in this Response Document in this way.

A total of 18 responses to the consultation paper were received. Of these:

Five were responses from the judiciary;
Five were from CJS or operational partners;
One was from the Bishop of Liverpool; and
The other responses were made up of professional users, public bodies and local law firms.

Of the 18 responses:

Five fully supported the proposal
Three were neutral; and
Ten were opposed in some way - to the closure of the centre and/or Sefton as the choice of court to receive the centre's work.

Responses to specific points

Capacity and Workload

There were 6 respondents who commented in particular on capacity and workload. A number of these were of the view that work in the Centre had recently increased, however one respondent commented that the traditional community justice workload at the centre had fallen.

The Bishop of Liverpool pointed out that the consultation did not include data from the joined-up work of the Mersey Care Criminal Justice Liaison Team and that of the NLCJC over the past 10 months, nor statistics from the inception of the Centre. The Bishop also refers to the increase in workload at the Centre and wanted this to be examined.

Mersey Care NHS Trust said *“The consultation paper makes reference to there being no clear evidence that the NLCJC has or will deliver results in relation to reoffending levels, and yet it does not include data from the work that CJLT and NLCJC have done over the past 10 months, nor the overall statistics from the NLCJC since its inception. The question has to be posed, how this project can be dissolved without a review of data and evidence to support decision making. Since the beginning of the complex case pilot, we have seen a steady increase in people coming through the NLCJC and the data included in the proposal document that was circulated does not correlate with our own data and that suggested by Judge Clancy at the Community Justice Centre.”*

Steve Rotheram, MP said that *“I am told figures from the Court show that new cases are running at around 150 per month, much higher than last year and higher than other courts in the area.”*

Merseyside Police stated *“I recognise that the traditional community justice workload at the centre has fallen and in particular the use of the centre’s courtroom facilities has fallen significantly.”*

The Bishop also referred to the speed that cases are dealt with, and cited an average of 26 days taken per case in comparison with a national average of 147 days.

One respondent commented that moving the work to Sefton Magistrates’ Court was sensible, but that consideration needed to be given to whether a special court should be set up to deal with the problem solving and mental health work, or if the work should be subsumed into Sefton’s normal business.

The CPS were of the view that the proposals would have a positive impact on their resources on the basis that there would be fewer sites to attend and fewer court sittings.

A Magistrate stated that the only direct impact would be increased utilisation of Sefton.

A number of respondents supported the proposal in the present climate on the basis that: there was no longer a Circuit Judge presence; the Centre no longer serves its original intended purpose; and thus closure was inevitable.

Response

HMCTS agrees that workload has increased at the Centre since April 2013 (although it had fallen by 41% between April 2007 and November 2012). Criminal (including Youth) completed proceedings for the Centre for the 12 months to March 2013 averaged 128 cases per month. From April to July 2013, this increased, by 31%, to an average of 168 cases.

In comparison, Sefton Magistrates' Court disposed on average 478 criminal cases per month for the 12 months to March 2013. From April to July 2013, Sefton disposed on average 467 cases per month. The increase at NLCJC, as respondents highlighted, can be attributed to the transfer of mental health work from the Sefton and Liverpool and Knowsley Local Justice Areas. Work emanating from the North Liverpool area itself remains low.¹

For the 12 month period to March 2013, the Centre's courtroom utilisation rate stood at 55%. Looking at the current financial year to July 2013, this has increased to an average of 71%. Despite this increase, the actual workload in volume terms remains relatively low and will continue to do so as a single court room site. Due to the limited cell capacity at the Centre, it is not feasible to transfer in any further custody work to further increase utilisation.

On the speed of cases, lessons learnt from the effective case management processes established in the early days of NLCJC, influenced the introduction of CJSSS (criminal justice which is simple summary and speedy) in all Magistrates' courts. The majority of charged cases are now completed within four weeks of first hearing. Cases heard at NLCJC are now taking longer than average due to the proportion of complex matters dealt with at the Centre.

It is clear that the partnership with Mersey Care Trust has increased the Centre's workload and thus utilisation. But, as a single courtroom site with what remains a relatively low volume of work, the ongoing costs of the Centre means that over time it will not provide value for money.

1. Source: HMCTS Performance Database

Transfer of Work and Facilities at Sefton Magistrates' Court

Ten respondents commented on the transfer of work and facilities at Sefton Magistrates' Court. The majority of respondents who commented on this issue opposed the transfer of work to Sefton Magistrates' Court for a number of reasons. These included additional travel time and financial implications, the merger of two differing court cultures, the residency of victims and offenders being mainly from the City of Liverpool, and the cost implications of moving mental health work to Sefton.

One response commented on the facilities at Sefton Magistrates' Court. In their view, *"The facilities at Sefton are wholly inadequate with limited interview areas in the cells, complete lack of car parking facilities and more difficult access via public transport."*

The Police and Crime Commissioner stated *"I am unconvinced by the proposal that the move of the workload to Sefton could be done in a way that meets the needs of its service users. This Centre has been an enormous benefit to north Liverpool and the communities it serves. I have seen the impact that dedicated teams of staff, drawn from criminal justice partner agencies, can have on the offending behaviour of some of the most troublesome and prolific offenders. Working together with the presiding judges the Centre has provided clear direction and motivation to change the lives of offenders and thereby help the local communities. Unless this proposal is carefully thought through, and time taken to decide how the Centre should be developed within the constraints of the reduced workload of all the courts, I believe you will commit an act of unnecessary vandalism if you proceed now."*

The Commissioner also said *"The proposal to transfer the work of the Centre to Sefton Magistrates' Court deserves much more thought as it is not at all clear how the cultures of two quite different courts could be merged. I understand that there is some thought being given to the court locations across the county of Merseyside due to the reduction in workload being experienced and I do not understand how the NLCJC can be singled out for closure at this time."*

A local law firm stated that *"To [close the court] (in our submission) would only exacerbate the burden time wise and financially on already hard pressed legal aid criminal lawyers. It may well be, and probably is from our own observations, that the court at Sefton has too little work to occupy it. That is not in our submission a sufficient reason to send work to that court. We object to the proposal."*

The Magistrates' Association stated that they were in support of the closure of the NLCJC, acknowledging its achievements whilst recognising practical and economical realities. However, they were also of the opinion that the work at the Centre should be relocated to Liverpool and Knowsley Magistrates' Court given that it still serves the area also served by the Centre. They said *"Transferring work to Sefton, divides the city and its residents. This questions both Local Justice and work with local agencies"*. They were also of the view that the workload of the NLCJC should be handled by Magistrates, as well as District Judges as is current practice, in all courts, and that no proposal should lessen the impact of magistrates.

One respondent expressed concern over the current separation of work at the Centre to District Judges. Their view was that the Centre is over resourced, caused confusion amongst residents, and also caused confusion amongst Magistrates who were of the opinion that cases at the Centre could be dealt with by them. The respondent felt that any proposal should include the use of Magistrates to deal with the workload once it moves to Sefton. However, the respondent also stated that *"The access of residents and especially witnesses must be taken into account and, in our view, the proposal mitigates against them in time, cost and practicality."*

Merseyside Police emphasised the need for relationships built up with neighbourhood policing teams and other partners within the NLCJC and the community to be maintained. They are keen to see that work involving mentally disordered patients is also transferred with the community justice work to the new site. They also stated *“Further to this, it was the intention of the Merseyside Criminal Justice Board to centralise the management of Liverpool, Knowsley and Sefton integrated offender management cases within the NLCJC in order to take advantage of its wrap-around services and problem solving approach for such offenders. The scoping of this work is continuing and Merseyside Police would wish you to consider continuing with assessing the feasibility of this proposal”*.

A local law firm said *“The NLCJC is said now to be a complex problem solving hub for a wider area. If such a hub is required then that element of the work done in the NLCJC could be relocated to SMC with the general work returning to Liverpool from whence it came. However, there seems little sense in moving the mental health work to SMC when the nurses are based in Dale Street. To move the nurses to SMC would require a capital cost for conversion work and a successful negotiation with the NHS cover the rent to be charged. There is no justification from a legal, social or community viewpoint, in moving the general adult court workload to SMC. It seems to us that the bulk of the caseload in NLCJC involves residents of the City of Liverpool.”*

Another local law firm said *“We do object, in the strongest possible terms, to transferring the workload to Sefton Magistrates’ Court. On the face of it, this would simply justify the existence of another under-performing court house and at additional, unnecessary cost to the public.”*

The Bishop of Liverpool said that he was unclear how it was determined that Sefton Magistrates’ Court is fit for its new purpose, and which services will be relocated. The Bishop stated that *“I understand that the CJLT would not be able to move”*, and went on to say *“We do know, however, that the NLCJC is fit for purpose. Might it be a possibility to move Sefton’s workload to the NLCJC as it has been built to accommodate the manner of multi agency working, which is clearly laid out as a priority in the Transforming Rehabilitation Report (January 2013)?”*

There were some responses in support of the proposal, which included the following:

Merseyside Police commented that *“[We are] pleased to hear that it is planned that the existing community justice work, problem solving approach and the dedicated team of district judges will transfer to the more modern facilities at Sefton Magistrates’ Court which has in itself established a strong reputation for its problem solving approach.”*

The Centre for justice Innovation stated that *“While we think the case can be made for keeping North Liverpool open, if this is not a viable option, the proposal to move the work of the Centre to Sefton magistrates’ Court is a logical one. Its relative proximity and the innovative work they are doing there suggest that this option would minimise the impact of the Centre’s closure”*.

Response

Full consideration was given to the benefits of transferring the NLCJC's workload to Sefton Magistrates' Court before the publication of the consultation document in July. It is not proposed to merge the work of the two courts, but rather that the NLCJC workload that is transferred to Sefton will be dealt with in a dedicated courtroom, with the principles of the NLCJC being maintained. The focus will continue to be on providing a specialised service for offenders with mental health issues. HMCTS have reviewed the facilities available at Sefton and are confident that the Mersey Care NHS Trust team can be provided with suitable facilities that enables continued co-location with HMCTS staff, building on their achievements to date at the NLCJC by ongoing partnership working.

Sefton Courthouse is considered to be the best location for the work emanating from the NLCJC, given its modern facilities, proximity and good transport links. The proposal makes best use of the existing court estate and builds on Sefton's reputation for innovation and its established problem solving approach which is based on NLCJC principles.

Sefton currently deals with approximately three times the amount of work handled at NLCJC and has the courtroom and cell capacity to accommodate the NLCJC'S current workload in its entirety.

The recent increase in mental health work at the NLCJC has resulted in concerns about the adequacy of the cells there and the security arrangements at that court, particularly as there is no secure dock. In the 12 months to September there has been a 29% increase in custody cases at the Centre compared to the 12 months to September 2012.

Within the cell area at the NLCJC, where cell capacity is already being stretched, there is one secure interview room. However, due to the increase in custody cases, the interview room is now in regular use as an overspill cell. As a result, solicitors often have to conduct interviews with their clients in their cell, and on occasion, when the cells are full or there is a risk to the health and safety of those involved, there is no provision for custody interviews. The proposed move to Sefton will result in better security provision and increased cell capacity.

Sefton has greater custody suite capacity, plus three courts with secure docks, one of which will be dedicated to work transferred from the NLCJC. In addition, work will be undertaken to provide facilities for the Mersey Care Trust team to enable them to remain co-located with the hearing centre for their cases.

There are car park facilities adjacent to Sefton Magistrates' Court, and within Bootle there are other car parks within a reasonable walking distance of the court.

Sefton Magistrates' Court is a modern court building with five court rooms, of which two to three sit daily. The facilities at Sefton are of a high standard and sufficient to manage the proposed additional workload. Until the reduction in workload in recent years, Sefton court accommodated up to five courts sitting daily.

The timing of the proposal is in part influenced by a lease break opportunity next year, and given the other factors explained in this document, a decision on the future of the NLCJC needs to be taken.

Costs

There were eight responses in total in relation to costs.

A number of respondents acknowledged that the operating costs of the Centre were significantly higher than for other magistrates' courts of a similar size and that savings should be made where possible.

The CPS commented that *"I agree that the court should be closed when considering the considerable savings that would be made."*

Comments also made were *"There is capacity at Sefton (1.8 miles away from NLCJC) to accept the total workload of the NLCJC and make considerable monetary savings."* and *"Timely. Best value for money achieved by moving work to a functioning local court."*

Merseyside Police commented that *"Whilst it is disappointing that this flagship of community justice and problem solving should close it is understandable in the current financial climate that public bodies must review their effectiveness and make efficiency savings, which inevitably include the rationalisation of their estate."*

Other points raised included:

A local law firm suggested *"The cost of moving the mental health liaison team has not been considered. There has already been (a now wasted cost) incurred in transferring them to the NLCJC and it would cost a lot more to transfer them again to South Sefton when in reality it would be far easier and more cost-effective to allow them to return to Liverpool Magistrates' Court."*

On the other hand, Mersey Care NHS Trust commented that moving back to their previous model at Liverpool & Knowsley Magistrates' Court would increase their overheads, money which could be better spent elsewhere.

However, the Trust also acknowledged in their response that, despite their financial investment to date, as a service they were always aware of the potential closure of the NLCJC but felt that it was worth continuing with. They acknowledge that whilst they have made some savings with the move to the NLCJC, they are insignificant in comparison to the savings to be made with the proposed closure of the Centre.

The Bishop of Liverpool stated that *"I firmly believe we need to build on the investment which has already gone into the CJC and endeavour to replicate its innovative work which is directly in line with government thinking and proposals."*

The Bishop of Liverpool is of the opinion that the proposals should be delayed for another three years after *"an independent evaluation"*. He stated that *"Statistics could be gathered appropriately and fairly taking into consideration the data which has been omitted on this occasion, for example assessing the levels of reoffending and not just reoffending as a basic act. The CJC could be asked to find funding for this further exercise. In this way a more full and fair picture would be available in order to make a decision on the effectiveness of the CJC in time for the 2017 break clause."*

Response

The investment in the NLCJC has been significant since 2005, but given the financial climate and the Centre's limitations as a single courtroom site, to further increasing workload, it is now clear that it is increasingly difficult to justify its operating costs.

Closure of the NLCJC will result in savings of £630,000 p.a whereas maintaining the operation will mean a continuation of costs of £930,000 p.a as per this year's budget. The cost of operating the NLCJC for a further three years, including necessary maintenance work, would be well in excess of £2,000,000 (see the attached Impact Assessment).

HMCTS considers that the proposed savings would outweigh any perceived benefits from continuing to operate the Centre. The ethos and principles developed at the Centre will be replicated at Sefton Magistrates' Court, which itself has a reputation for its innovative work.

Effect on Cross CJS Working and the NLCJC's Achievements since 2005

Eight respondents mentioned the effect of cross CJC working in their comments. Some Respondents felt that the proposal is short sighted and the ethos of the problem solving model would be weakened without the co-location of partner agencies. It was considered that the transfer of work to Sefton would divide the city and its residents and cause confusion and complications.

The Centre for Justice Innovation said *"The underpinning ethos of the NLCJC supports integrated working, with good information sharing and outcomes that support the individual and the Criminal Justice System. From a mental health perspective, the CJLT have been able to facilitate better outcomes for people with mental illness coming through the NLCJC than in any other court. The information sharing has been appropriate, with an emphasis on identifying issues that relate to the person's mental state and motivation for offending. The benefits of working closely with probation and sentencing Judges support outcomes which have been more appropriate. The CJLT have been able to expedite not only the court process as a whole, but also specific interventions and criminal justice disposals, which it could be argued saves money for both the department of health and the ministry of justice."*

Mersey Care NHS Trust said *"The closure of the CJC would have a negative impact upon those service users we support who benefit from the joined up approach the CJC provides, and I have no confidence that this could be replicated at Sefton Magistrates Court and as such at this stage there are no plans for the CJLT to move into Sefton Magistrates, which means returning to locate at Liverpool Magistrates Court whilst providing outreach to Sefton Magistrates Court / CJC as needed. The CJC is located in North Liverpool which is a central location for the catchment area and 75% of the service user population is based within the North, central and South Liverpool areas with 25% (including out of areas) within Sefton so location to a Sefton conceived CJC is not an option for CJLT."*

The Merseyside Magistrates' Association said *"The establishment of the NLCJC was to serve a specific area of North Liverpool. Transferring work to Sefton, divides the city and its residents. This questions both Local Justice and work with local agencies (e.g. Addaction covers Liverpool but another organisation covers Sefton for Drug users). These arrangements will therefore cause confusion for local residents as well as complications for other agencies. It would be preferable and more practical for the work to be transferred to the Liverpool & Knowsley Court and be dealt with by both Magistrates and DJs as is the current practice."*

The Citizens Advice Bureau stated that *"We think that the proposal is short-sighted. Whilst we obviously accept that crime overall is falling, as revealed by ONS statistics there has been a 10% increase in shoplifting and a 2% increase in theft from the person - crimes in part driven by poverty. The North Liverpool area - and Everton and Kirkdale wards in particular – is one of the poorest in the UK, as evidenced by the 2010 Indices of Multiple Deprivation. Currently, the NLCJC is ideally placed - geographically and organizationally - to deal with offenders swiftly while also offering a multi-agency solution to some of the underlying social and economic factors which contribute to the offence. Last year, the CAB workers based at the NLCJC were able to assist almost 100 offenders (via problem-solving and referral from other agencies including Probation, Turnaround, drugs agencies) to resolve benefits, debt, housing and other money issues which acted as a barrier to rehabilitation – and we anticipate that demand for this service will increase. In this context, this is the wrong time to close the NLCJC."*

"In respect of direct impact on ourselves, we are very disappointed that the Citizens Advice service is not mentioned at all within the impact assessment. We currently have two staff based at the NLCJC. One post is funded by the MoJ and the other by a charitable trust. The

funding for the later is guaranteed only on the proviso that the first post continues to be funded by the MoJ. Thus, if MoJ funding is withdrawn with the closure of the NLCJC, the CAB would have to make both posts redundant as we have no alternative funding source. We already provide CAB input into problem solving at Sefton Magistrates' Court as part of our funding remit and we would be keen to continue this – we are pleased to note that it is the intention to retain this approach at Sefton. However, we would not be able to do this without continued funding support from the MoJ."

The Bishop of Liverpool questioned the conclusion that the Police would not be impacted by the proposal and said *"at the very least it would mean the cost of three Police posts, currently paid for by the CJC, moving back to the Police budget."* The bishop also highlighted further women's projects, *"possibly culminating in a women's only court. This would be a fantastic leap in the right direction and one I am sure Helen Grant's women's advisory board would be right behind."*

Response

As confirmed above the workload of the NLCJC and the utilisation of its courtroom has increased since it began hearing mental health cases from Sefton and Liverpool and Knowsley Magistrates' Courts, although as a single courtroom site the volume of cases it deals with remains relatively low.

The court at Sefton, which is 1.8 miles away, has at least one completely unused courtroom, which can accommodate the work of the NLCJC in its entirety and in keeping with its principles, enabling HMCTS to make significant annual savings of £630,000 from the closure of the NLCJC. Moving the Centre's workload to Sefton will also ease the pressure on partner criminal justice agencies, such as CPS and Probation, giving them one less Merseyside court site across which to deploy their limited resources.

HMCTS is committed to maintaining the principles of the NLCJC at Sefton and will fully explore with Mersey Care NHS Trust the scope for their team to be located within the Sefton courthouse, which is feasible from an HMCTS perspective.

The main duties of the Police based at the NLCJC include management of the cell area and defendants in custody and executing warrants. These posts are funded by MoJ until March 2014 with no further commitment beyond that date. Merseyside Police have not opposed the proposed closure and have made no reference to any adverse impact in relation to this.

HMCTS recognises the key role Citizen's Advice Bureau (CAB) has played in the work of NLCJC since its inception and, more recently, the support CAB has provided to the problem solving court at Sefton. Unfortunately the future of the NLCJC itself and MoJ's part-funding of the CAB posts based at the Centre were not guaranteed beyond the end of March 2014.

There are currently no proposals for a women only court. It has not been considered by the Merseyside Criminal Justice Board, and any proposal to further centralise work would need to be subject to consultation. If there is to be a specialist court for women, it could be based at Sefton as part of the wider problem solving approach.

HMCTS believes that the proposal should proceed on the basis that the work can be accommodated at Sefton Magistrates' Court; the principles of the NLCJC will be maintained by a modern courthouse and innovative court team; HMCTS will continue to work closely with all parties and, for example, provide facilities that would enable the Mersey Care Trust team to remain co-located with court colleagues. HMCTS is committed to cross-CJS working at both Sefton and other Merseyside courthouses.

Travel

Of those who responded, 4 in particular commented on the additional distance required to travel to Sefton Magistrates' Court, public transport options and the accessibility of a local court, particularly for offenders with mental health issues.

One local law firm said that "The effect of transferring those mentally disordered offenders who would ordinarily be dealt with at Liverpool Magistrates Court has not been considered. It is difficult for mentally vulnerable offenders to attend any court let alone one which means them travelling a greater distance and to an unknown area."

Merseyside Magistrates' Association made the comment: "The argument about access to the Bootle Court for residents of North Liverpool is not totally accurate. For comparison, it is easier for the whole area to access the Liverpool City Centre rather than travel to Bootle. A Bus route is identified in the Consultation paper, however this is of no benefit to residents of Walton and Fazakerley, even Anfield. It remains vital to ensure that defendants, and especially witnesses, can readily access Court and avoid unfamiliar route/journeys of longer duration."

Two local law firms stated that there would be an impact on them if the proposal to move the workload of the NLCJC to Sefton went ahead, in terms of travel time and associated costs. One of the firms said *"Our clients and the court may be expected to wait longer as it takes longer to travel to Sefton if a case is put into the NLCJC last minute."*

Response

Sefton Magistrates' Court is located 1.8 miles from the North Liverpool Community Justice Centre. There is not, therefore, considered to be any significant increase in travel time or other travel difficulties given the good transport links in the area.

Bootle, where Sefton Magistrates' Court is situated, is well served by bus and rail links. In a comparison of travelling times from locations in north Liverpool and Liverpool city centre, journey times are not excessive to either site. In fact, in three of the four journeys detailed at Annex B, court users would only be required to engage in a 2 minute walk to Sefton Magistrates' Court after alighting from a bus, compared with a 6-8 minute walk when travelling to the NLCJC. Any increase in travel time is there relatively minimal. A table detailing travel times is attached at Annex B.

Local Justice

Ten respondents commented on local justice. A number of these felt that moving the work to Sefton Magistrates' Court would weaken community engagement and confidence in the criminal justice system.

It was considered by the Magistrates' Association that, in any future proposals, Magistrates should have involvement in the work.

The Bishop of Liverpool said *"If the NLCJC was relocated then the CJLT would most certainly fall victim as 75% of the service user population is based within North, Central and South Liverpool areas with 25% within Sefton."*

The Citizens' Advice Bureau, which has had a presence in the Centre since its inception, had observed a growth in community engagement. It was felt that the closure of the Centre would be a substantial loss to the local community and possibly lead to an increase in disaffection with Police and a rise in some types of crime.

A law firm stated *"The NLCJC was set up to serve the community of North Liverpool with the ethos very much centred upon local justice, it is ironic that consideration is now being given to moving this work from Liverpool and into Sefton which will equate to a loss of local justice."*

The CPS commented that moving the work to Sefton Magistrates' Court was sensible, but that consideration needs to be made whether a special court should be set up to deal with the problem solving and mental health work - or if the work should be subsumed into business as usual at Sefton.

One respondent noted the impact assessment indicated mainly positive impacts on groups affected by the proposal.

One respondent was of the view that *"NLCJC is embedded in the community it serves and it has strong links to housing, education and welfare matters in its community justice role. Its removal from the Kirkdale community may leave a significant gap."* and suggested that the proposals would weaken relationships between the Police team and other agencies on site, such as Victim Support, if the co-location ceases.

Response

Research published in 2012² found that local awareness of the community work led by the Centre was low. More recently, local community engagement activity has diminished as the workload of the Centre has changed and widened beyond the Centre's original catchment area. A number of the community groups were specifically invited to respond to this consultation on the future of the Centre and have not done so.

HMCTS recognises that there will be people who will have to travel further from outside Sefton itself. Annex B sets out potential journey times and HMCTS does not consider the additional 1.8 miles to be excessive for those who already need to travel to the NLCJC.

2. Source: North Liverpool Community Justice Centre: Analysis of re-offending rates and efficiency of court processes
www.gov.uk/government/publications/north-liverpool-community-justice-centre-analysis-of-re-offending-rates-and-efficiency-of-court-processes

Impact on Local Business

Two respondents commented on the impact on local business. Reference has been made to the duty solicitor scheme as follows: *“The consultation itself is silent upon the impact of the duty solicitor scheme. This will require a separate rota, as it always has done and is made up of Liverpool Solicitors, there is no consideration given to the impact of this.”*

One respondent expressed concern over the future plans for the duty solicitor scheme and suggested that Liverpool clients could find themselves represented by Sefton solicitors, which would incur greater expense in travel times and costs.

Response

HMCTS has engaged with the Legal Aid Agency to ensure that an appropriate duty solicitor scheme is in place prior to the transfer of work to Sefton. The LAA will await the decision on the closure of the NLCJC and consider the impact. They will then review and consult as necessary.

Alternative Suggestions

Of the responses received, a further theme was the opposition of the work of the Centre moving to Sefton Magistrates' Court. Alternative suggestions were that the work should be transferred to Liverpool and Knowsley Magistrates' Court and that Youth work should be dealt with by a dedicated Youth court.

"In conclusion we suggest that all of the work of the NLCJC can, and should, be transferred to Liverpool & Knowsley Court and absorbed into the total Court business rather than be a "dedicated" separate operation. This would ensure proper location for the area served, rightly necessitate the involvement of Magistrates, and enable very effective delivery in association with all other agencies."

"We would not support young people's court appearances being moved to Sefton and would suggest they should be dealt with in Liverpool youth court for the following reasons: There were a total of 400 appearances by young people in the NLCJC in the past 12 months. This is an average of 8 per week and this volume of work will not impact upon the [Youth Offending Service] staff at Liverpool youth court. It is also unlikely to impact upon the workload of the court or the magistrates. Liverpool YOS will need to negotiate with Sefton YOS to either send Liverpool staff to the court for a proportion of the week or compensate them for their staff time. Both options will incur additional cost for Liverpool. Sefton YOS does not have access to the Liverpool database to enable them to present up to date information on young people to the court."

A local law firm stated *"In considering the relocation of the work, it should not be ignored that this emanates from North Liverpool. The NLCJC was established to serve the community of North Liverpool. Moving work emanating from Liverpool to SMC amounts to a loss of local justice. Ironically this was the underlying principle of the NLCJC. It is a long standing principal that youths should be dealt with in their home court. There is no justification for moving cases involving youths who live in Liverpool to a court in a different borough. The Liverpool YOT does not have a presence at NLCJC or SMC. It is presumed that they are unlikely to have the resources to staff a relocated youth court sitting at SMC."*

It was Liverpool City Council's view that, due to the relatively low workload of Youth cases at the NLCJC, and the difficulties in sending YOS staff across to Sefton on an ad-hoc basis, that all Youth work should be transferred to Liverpool Youth Court, where the impact of the additional work will be minimal.

Liverpool City Council also felt that Education Welfare cases should be dealt with in Liverpool rather than Sefton, due to the difficulties of parents attending at Sefton and the resourcing difficulties in sending staff there. They commented that additional considerations apply to youths and it is recognised that youth offenders should be dealt with at their local court, where this is practicable.

Response

Consideration has been given to the suggestion that work should be transferred to Liverpool and Knowsley Magistrates' Court. The Courthouse in Dale Street comprises seven courtrooms dealing with adult work. The fabric and the facilities of the building fall well short of the facilities at Sefton. The Dale Street courthouse lacks the capacity to accommodate the entire workload; the current utilisation is 75%. The workload of the NLCJC could not be accommodated in a designated courtroom that underpins the commitment to the NLCJC's problem solving principles and its legacy. Due to the availability of courtroom capacity, its better standard of accommodation and proximity, Sefton Magistrates' Court remains the preferred option.

On the specific issues of Youth cases and Educational Welfare cases, HMCTS has agreed:

- that youth work currently heard at the NLCJC should be transferred to the Liverpool and Knowsley Youth panel. The Youth court sits at the Queen Elizabeth II Law Courts where there is sufficient capacity to accommodate the additional work and facilitate Liverpool YOS' ability to effectively manage their caseload, and;
- Education Welfare cases should, as suggested, be dealt with at Liverpool and Knowsley Magistrates' Court.

The adult court criminal work transferring from the NLCJC will continue to be dealt with by a team of District judges in the same way as it is now, although we will explore the scope for the continued involvement of magistrates to deal with trials. We will also explore the possibility of listing any trials arising from the NLCJC cases at Liverpool and Knowsley Magistrates' Court where there are particular circumstances which mean by exception this is most effective way of dealing with particular cases.

Timing of the Consultation

Some respondents (four in particular) questioned the timing and the timeframe of the consultation period, which commenced on 17 July 2013 and ended on 27 August 2013.

The Police & Crime Commissioner said *"I was deeply concerned that you made this announcement as Parliament went into recess and the summer holiday period commenced. This made it difficult to take the views of many local stakeholders."*

The Bishop of Liverpool said *"My primary concern, however, is the length of the consultation period and the time of year in which it fell. The period was very short, there was little notice given and many of the staff were taking summer holiday leave. There has been an inadequate amount of time for the Centre to respond in a manner which would be fair and proper."*

An MP queried *"Why is the Consultation period only 6 weeks in length when the normal period in respect of court closures is 12 weeks?"*

A member of the judiciary said the consultation was *"too short"*.

Response

Previously, court closure consultations have been over a 12 week period. However these were large-scale exercises, proposing changes to many courts across England & Wales at one time. The NLCJC proposal related to one court, with HMCTS engaging fully with local stakeholders.

The Lord Chancellor was satisfied that, for a single court closure proposal such as this, with a clear focus on local engagement, a period of 6 weeks would provide sufficient time for all interested parties to respond. There were also specific operational factors in the case of the NLCJC which, once the analysis of the consultation responses was completed, required a decision on its future to be made by early October 2013.

As regards the timing of the consultation, when this was launched on 17 July 13, HMCTS and the courts minister wrote directly to local stakeholders to notify them of the consultation and direct them to the paper setting out the proposal.

Since HMCTS has had mainly detailed responses from a range of stakeholders, the department does not consider the timing or the timeframe to have been a bar to conducting an effective consultation.

Conclusion and next steps

This document provides a detailed summary of the points raised by respondents to the consultation. These have all been fully analysed and in light of suggestions made, changes to the original proposal are:

- Youth cases where the proposal now is for these to be transferred to the dedicated QEII Youth Court;
- Education Welfare cases will be transferred as suggested to Liverpool & Knowsley Magistrates' Court; and
- On an exception basis, some adult trial cases where convenient to all parties can be heard at Liverpool & Knowsley Magistrates' Court.

As set out earlier, key points raised were about: Capacity and workload; transfer of work and facilities of Sefton Magistrates' court; Costs; Effect on Cross CJS working and the NLCJC's achievements since 2005; travel; local justice; impact on local business; alternative suggestions and timing of the consultation.

The main conclusions reached are that:

- Despite the recent increase in workload the NLCJC is unlikely to offer value for money over future years;
- HMCTS has provided assurances that the principles of the NLCJC's problem solving approach will be maintained;
- Sefton offers modern, more secure, and dedicated court room facilities plus a team who have a history of innovation and applying problem solving techniques;
- The operational costs of the NLCJC are significantly higher than other small courthouses and realisable savings of £630k to HMCTS can be made by transferring the caseload to Sefton. Conversely, if the NLCJC was to continue their role the ongoing costs of £930k p.a. as per this year's budget, with a low likelihood of a significant change in the 2012 evaluation report conclusions given its relatively low workload and shift in emphasis.
- HMCTS will liaise with the Mersey Care NHS Trust with a view to continuing ongoing and valued partnership work when their team can remain co-located with court staff at Sefton and at minimal cost;
- HMCTS will continue to work closely with all partner agencies to ensure that the commitment to the principles of the NLCJC are taken forward and that the NLCJC legacy is not lost;
- With the proximity (1.8 miles) of Sefton Magistrates Court to the NLCJC any increased travel needs are relatively minimal, and will be supported by good public transport links;
- The evaluation report published in 2012 (link as per p18) demonstrated the limited impact the NLCJC had achieved including in relation to the community engagement and local perceptions;

It has therefore been decided to proceed with closure of the NLCJC. As a result it is HMCTS's intention to give notice of the lease break on 28 October 2013, with the lease break taking place on 28 April 2014. The last sitting day at the Centre will be 28 March 2014, leaving a period of four weeks to vacate.

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:

www.gov.uk/government/publications/consultation-principles-guidance

Annex A

List of respondents

Howard Riddle	Chief Magistrate
Andrew Robertson, JP	Magistrate
Claire Lindley	CPS
Roger Manley	Magistrate
Ruth Shaw	Magistrate
Julian Linskill	Linskills Solicitors
Mark Sergeant	Mersey Care NHS Trust
Keith Sanderson Association	Merseyside Branch of the Magistrates'
Steve Rotheram, MP	MP for Liverpool Walton
Jon Murphy	Merseyside Police
Phil Bowen	Centre for Justice Innovation
Richard Clancy	District Judge
Siw Jones	North Liverpool CAB
Ged Fitzgerald	Liverpool City Council
Jane Kennedy	Police and Crime Commissioner for Merseyside
Kieran Fielding	Pearson Fielding
Zoe Gascoyne	Cobleys LLP
Rt Rev James Jones	Bishop of Liverpool

Annex B - Comparison of travel times between NLCJC and Sefton Magistrates' Court

Starting point	NLCJC		Sefton Magistrates' Court	
	Journey Time (minutes)	Details	Journey Time (minutes)	Details
Liverpool City Centre	16	7 minutes - bus 9 minutes - walk or 11 minutes - bus 5 minutes - walk	17	15 minutes - bus 2 minutes - walk
Fazakerley	28-30	2 minutes - walk 20-22 minutes - bus 6 minutes - walk	25	2 minutes - walk 21 minutes - bus 2 minutes - walk
Anfield	15	2 minutes - walk 5 minutes - bus 8 minutes - walk	27-30	2 minutes - walk 2-5 minutes - bus 2-8 minutes - walk 7-8 minutes - bus 2-4 minutes - walk or 21 minutes walk 7 minutes bus 2 minutes - walk
Walton	26-28	7 minutes - walk 13 minutes - bus 6-8 minutes - walk	20-30	4-7 minutes - walk 4-6 minutes - bus 3 minutes - walk 3-4 minutes bus 4 minutes - walk or 4 minutes - walk 6 minutes - bus 10 minutes - walk
<p>Notes: Data source: Traveline public transport information Where more than one bus is required for the journey, total travel time includes waiting times for connections.</p>				

© Crown copyright 2013
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: www.nationalarchives.gov.uk/doc/open-government-licence/
or email: 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 HMCTS North West. Call 0161 240 5817 or email: mark.williams4@hmcts.gsi.gov.uk