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of Justice

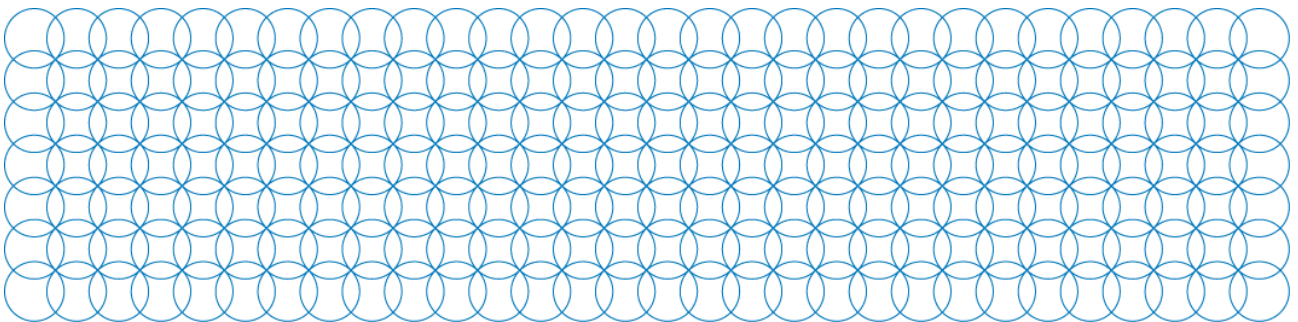


HM Courts &
Tribunals Service

A Consultation on the merger of the Local Justice Areas in North Yorkshire

This consultation begins on 1st October 2014

This consultation ends on 31st December 2014





**Ministry
of Justice**



**HM Courts &
Tribunals Service**

A Consultation on the Merger of the Local Justice Areas in North Yorkshire

**A consultation produced by HM Courts & Tribunals Service, part of the Ministry of Justice.
It is also available on the Ministry of Justice website at
www.justice.gov.uk/about/hmcts/index.htm**

About this consultation

- To:** Those mentioned in Section 8(6) Courts Act, 2003 and those listed below at pages 9 – 11.
- Duration:** From 1st October 2014 to 31st December 2014
- Enquiries (including requests for the paper in an alternative format) to:** **Sam Goozée** - Justices' Clerk for North and West Yorkshire
or
Christine Gardner - Deputy Justices' Clerk (North Yorkshire)
Via e-mail at:
NWYjudicial-support-unit@hmcts.gsi.gov.uk
- or:
North and West Yorkshire Judicial Support Unit
Level 5
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PO Box 97
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LS1 3JP
- or:
Tel: 0113 285 5622
- How to respond:** Please send your response by 31st December 2014 to the above address
- Response paper:** A response to this consultation exercise is due to be published by 25th March 2015

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Executive summary

This paper is issued on behalf of the North and West Yorkshire Judicial Business Group (JBG) and sets out for consultation the proposed merger of the four Local Justice Areas (LJAs) in North Yorkshire into a single area to be known as the North Yorkshire LJA.

The work of the Magistrates' Courts in North Yorkshire is currently split between four LJAs (or benches): York and Selby; Harrogate and Skipton; Northallerton and Richmond; and Scarborough.

This proposal will improve the effectiveness and efficiency of justice in North Yorkshire by making best use of HM Courts and Tribunals Service (HMCTS) and judicial resources through effective listing, efficient rota arrangements for magistrates' sittings to enable them to meet the minimum sitting requirements set by the Lord Chancellor, and by reducing the administrative burden of supporting four separate benches to a proportionate level.

While HMCTS keeps its estate under review nothing in this consultation has any direct impact on courthouse provision in North Yorkshire.

This consultation seeks the views of people or organisations that may be affected by the proposed change including magistrates, other judicial office holders, court users, stakeholders and public authorities and charities within North Yorkshire.

Details of how to respond are on page 14 of this paper.

Introduction

This paper is issued on behalf of the North and West Yorkshire Judicial Business Group (JBG) which is made up of judicial office holders and HMCTS managers with responsibility for managing the effective and efficient administration of justice in the North and West Yorkshire crime court cluster. North Yorkshire has experienced a year on year reduction in the crime and family caseload (see data on page 20).

HMCTS was formed in April 2011 and created a regional management structure for resource management and allocation. There have been significant alterations to the administrative and legal management structures and resources within HMCTS both locally and nationally which require us to take a fresh look at the ways in which support is provided to magistrates and benches.

The JBG must consider the resources available to HMCTS and its criminal justice partners to ensure that cases are heard in a timely and efficient way, for example by ensuring that courts sit for a full day. The priorities for the delivery of justice in North Yorkshire are; making the best use of the resources available, increasing opportunities for magistrates to retain their experience and competence, and improving the flexibility of listing within North Yorkshire.

Section 8 of The Courts Act 2003 requires England and Wales to be divided into Local Justice Areas (LJAs). The Lord Chancellor may alter LJAs by order, including combining them, and the Act requires him to consult any Justices assigned to the area(s) and any local authority whose area includes the LJA before doing so.

Magistrates have national jurisdiction so they can hear most cases irrespective of where they arise. However, cases are normally listed in the LJA where the offence took place or where the defendant lives. Magistrates are assigned to an LJA for administrative reasons and usually sit in the area to which they are assigned, though there are some exceptions in Section 10 of the Courts Act 2003.

For the avoidance of doubt, the arrangements in place under Section 10 of the Act permit a magistrate to sit in a Local Justice Area other than that to which he is assigned in the circumstances listed below:

1. A Training and Development Committee has made arrangements for him to appraise another magistrate, whether or not that appraisal then takes place.
2. The magistrate, who has been assigned to a group of magistrates set up to hear the special lists of cases for more than one LJA, hears such cases or any other case which might be heard by the bench in the course of that sitting.
3. It is not reasonably practicable to convene a bench of three magistrates constituted partly or exclusively of magistrates assigned to the LJA
4. It is necessary to enable the magistrate to satisfy the Lord Chancellor's minimum sitting requirements
5. To facilitate proposed bench or panel amalgamations

At present there are four LJAs in North Yorkshire. Scarborough LJA has a combined courthouse and hearing centre which accommodates County Court civil business, family cases, tribunal hearings and youth and adult criminal cases. The York and Selby LJA has a courthouse in York which hears adult and youth criminal cases. Family cases are heard in the County Court building. The Harrogate and Skipton LJA has a courthouse in Harrogate which hears adult and youth crime cases and a courthouse in Skipton which hears adult criminal cases. Family Court cases are heard in the Harrogate Magistrates' Court, Harrogate County Court and Skipton Court Hearing Centre. Northallerton & Richmond LJA has a courthouse which hears adult and youth crime cases and family court proceedings.

Proposals to change LJAs are informed by the HMCTS Guidance on the Alteration of Local Justice Areas 2012. This guidance covers access to justice, the effective delivery of business in the area, the needs of local communities, criminal justice infrastructure, the deployment of magistrates and their need for support, and the workload and deployment of HMCTS staff.

Many LJAs have already merged and others are currently consulting on mergers; for example benches in Durham merged to form a single bench in 2012. Other recent examples are a single bench in Nottinghamshire and more recent approvals for Dorset and Cambridgeshire. North Yorkshire has 259 magistrates. There are 101 assigned to the York and Selby bench, 59 to the Harrogate and Skipton bench, 45 to the Northallerton and Richmond bench and 54 to the Scarborough bench. These numbers are correct as at 7th August 2014.

Court business is organised within the four LJA boundaries, save for road traffic cases which have been centralised in Northallerton in line with a Ministerial policy for the creation of dedicated traffic courts in each police force area. This was approved by the North & West Yorkshire Judicial Issues Group in 2012. The criminal caseload nationally and in North Yorkshire has been falling for over four years (see page 20). Court sessions have been reduced where possible but business is still split between the four LJAs. There are some opportunities for further efficiencies by centralising bulk cases where offenders can plead guilty in writing and rarely attend court, e.g. DVLA and TV Licensing prosecutions. However, the two main reasons behind this proposal are that the existence of four LJAs quadruples the number of meetings which have to be serviced by Bench Chairmen, Bench Officers, managers and support staff and, for those magistrates who are able to travel to other LJAs, there will be an opportunity to sit on a wider range of cases to maintain their experience, competence and minimum sittings.

Courthouses

This proposed merger is not linked to the usage of the court buildings in North Yorkshire. A scoping exercise has been undertaken in Harrogate to assess the feasibility of administering both criminal cases and county court civil business from the Harrogate Magistrates' Court. This assessment was done with the knowledge of HMCTS staff and the judiciary. There are no other proposals being considered and any additional proposals would be subject to appropriate consultation.

Copies of this consultation paper are being sent to the persons or organisations listed on pages 9 - 11. Responses from others with an interest are welcome.

The proposals

- **To merge the Harrogate and Skipton, Northallerton and Richmond, Scarborough, and York and Selby Local Justice Areas**
- **To name the new area the North Yorkshire Local Justice Area**

This proposal is being issued for consultation at a time when the four North Yorkshire Family Proceedings Panels will be merging into a single panel from 1st January 2015. The Harrogate & Skipton and Northallerton youth panels are merging from 1st January 2015 but the likelihood is that a single youth panel for North Yorkshire will be formed from April 2015 as that is the wish of the panels themselves. Each of the four benches has a Bench Training and Development Committee (BTDC) and these committees are consulting their benches on a proposal to merge to a single BTDC for North Yorkshire from 1st January 2015. These panels and committees have recognised that there is a need to streamline their administration to enable HMCTS staff to provide an appropriate level of support.

The decision on proposed mergers is taken by the Lord Chancellor, after consultation with the Lord Chief Justice, or his delegate (usually the Senior Presiding Judge) and is made on whether it will provide a more efficient and effective service to the Court. The factors the Lord Chancellor will consider are set out in the HMCTS guidance on the alteration of LJAs. These factors are set out below as headings followed by commentary on the local issues.

Ensuring effective use of available court time and courthouse resources to ensure that workload is completed expeditiously within courthouses with suitable facilities

Where geographical boundaries of LJAs are hindering the timely delivery of justice and effective use of resources, while considering access to justice for the community

Magistrates are required to sit with a qualified legal adviser. North Yorkshire magistrates know that as the workload has reduced the numbers of legal advisers has gone down. Staff that have retired have not been replaced and there have been a small number of voluntary departures. New magistrates have not been recruited for several years though it should be noted that since April 2014 a District Judge has been assigned to sit one day each week in York. The Lord Chancellor requires magistrates to sit for a minimum of 13 full days, or 15 in each jurisdiction for magistrates who sit in youth or family courts as well as adult courts. The average sittings for each bench are expected to fall within the range of 17 to 23 full days per annum. The average sittings for Harrogate and Skipton magistrates have fallen towards the bottom end of the range since 2010-11. Average sittings for the other North Yorkshire benches have been in the bottom half of the range for 3 out of the last 4 sitting years. Recruitment has not taken place because the new magistrates would not have been able to meet the minimum sitting requirement and would have reduced the average sittings for existing magistrates. A small number of vacancies have been filled by magistrates who have transferred to North Yorkshire benches from other areas.

Centralising traffic cases in Northallerton has made good use of police prosecution resources and court facilities. The expertise of the Northallerton & Richmond bench has

increased while magistrates in the other LJAs do not now hear routine traffic cases. The creation of a single LJA will enable magistrates who are willing to sit at other courts across North Yorkshire to be deployed to any court in the county. It must be stressed that the creation of a single LJA in North Yorkshire would not create a requirement that all magistrates sit at every site as the individual needs of magistrates must be considered when creating the rotas, including assessing reasonable travelling distances. However, having greater flexibility will create opportunities to sit at different courts and to hear different types of cases in their sittings. Over the next few years the increasing use of video link technology will allow HMCTS to consider clustering other types of work, for example youth cases, without affecting access to justice.

Trial waiting times vary around North Yorkshire. York and Selby have the highest crime workload whereas Harrogate has trial capacity. This proposal would enable some of the York and Selby trial caseload to be heard at Harrogate to reduce the trial waiting times there and reduce the overall number of trials outstanding at York and Selby. The courthouse facilities at Harrogate are better and transport links are good. A single LJA would enable the JBG to develop a more flexible listing policy, not restricted by LJA boundaries. It would also enable cases to be heard expeditiously and other areas of work to be centralised, where appropriate, and in the interests of justice. Delays in the listing of trials impacts on defendants, witnesses and victims.

Ensuring magistrates have suitable work to maintain their competences. This will depend on the volume and type of work available for the existing Bench.

Falling caseload means that magistrates may not gain sufficient experience to maintain their competence. Merging benches is a partial solution to the issue of falling sittings as it ensures that magistrates who are willing to travel can maintain their sittings and range of expertise by sitting at other courthouses. Allocation of magistrates' sittings will continue to be based on the preferences that individual magistrates express. Travelling to other courthouses may be difficult for magistrates who live close to the boundaries of North Yorkshire but many magistrates live or work within the higher population areas around York and Harrogate so could travel to more than one court without inconvenience. Some members of the youth and family panels already do so voluntarily.

Enabling HMCTS to deliver a more efficient service to court users before, during and after court hearings

Other criminal justice agencies have also seen a reduction in their resources. The Crown Prosecution Service (CPS) budget is based on the number of cases finalised in the financial year so, with a falling workload, the number of lawyers they can deploy into court has reduced year on year. HMCTS and the CPS must both make best use of their staffing resources and neither can staff courts under the current sitting pattern. We must also address national initiatives which are designed to ensure effective and efficient hearings, for example the Transforming Summary Justice paper¹. We must also cover the concerns in the Magistrates' Courts Disclosure Review and the recommendations made².

1

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/209659/transforming-cjs-2013.pdf

² <http://www.judiciary.gov.uk/wp-content/uploads/2014/05/Magistrates%E2%80%99-Court-Disclosure-Review.pdf>

To enable the brigading of cases from the anticipated plea, we may need to centralise some types of work, for example overnight custody cases. These sittings could be made available to all magistrates. HMCTS expect to have remote live link and video link technology available across most of our courthouses which will reduce the need for prisoners to be moved from the police station and will enable the clustering of remand cases.

Ensuring that a proportionate level of administrative support is being provided to benches by HMCTS

The Justices' Clerk, legal team and staff at the Judicial Support Unit (JSU) will be more easily able to fully support a single bench. At present four Annual Election Meetings (AEMs) are held in October, three half yearly meetings are held in March or April (the Northallerton & Richmond bench does not have a half yearly meeting) and each bench has at least three Judicial Leadership Group (JLG) meetings a year attended by the Bench Chairman, Deputy Chairman, Deputy Justices' Clerk or Legal Team Manager, Family Panel Chairman as necessary and the local court Delivery Manager. The bench structures have not changed since 2010 whereas the legal and admin staffing levels have reduced in line with the workload. The Justices' Clerk and JSU also support five benches in West Yorkshire which range in size from 101 magistrates on the Calderdale bench to 285 on the Leeds bench. There are 871 magistrates in West Yorkshire.

Ensuring that bench structure is sustainable and suited to the local business need

A single North Yorkshire bench will still be smaller than many in England and Wales and smaller than others within the Clerkship of North and West Yorkshire. A single bench will combine the expertise and experience of the four benches. The Northallerton and Richmond bench has reached a point where it cannot maintain the ratio of adult wingers to approved chairmen and so needs the support of approved chairmen from neighbouring benches to ensure that the adult criminal courts are properly constituted.

The merged bench would be a little smaller than the Leeds bench (285 magistrates) and slightly larger than the Bradford and Keighley bench at 234 magistrates. A larger bench will provide a greater number of people from which to appoint committee members, for example the Bench Training and Development Committee. This separation from small local benches and committees will mean objective decisions can be made more easily, for example on chairmanship competence.

Formalising or permitting cross-area working (for instance youth, family, specialist domestic violence courts, overnight arrests and sentencing review panels)

Some cross-area working is already occurring with magistrates from the youth and family panels. This has allowed members of those panels to sit in their designated LJA and at any other court they have nominated. Magistrates have not been required to sit in other LJAs unless they wish to do so.

A larger LJA will enable HMCTS to formalise the cross-area working arrangements for all adult court magistrates. Sitting rotas can be produced to include cross-area sittings so reducing the administrative burden of filling vacancies when local magistrates are unable to sit.

Persons/bodies being consulted

Copies of the consultation paper are being sent to:

(*Statutory Consultees)

- All magistrates assigned to the Local Justice Areas in North Yorkshire*
- All members of the North and West Yorkshire Judicial Business Group
- Regional Delivery Director
- Regional Head of Crime and CFT
- Chief Magistrate's Office
- Members of the North East Bench Chairmen's Forum
- District Judges (Magistrates' Court) assigned in the North & West Yorkshire Clerkship
- North Yorkshire County Council*
- York City Council*
- Richmondshire District Council*
- Craven District Council*
- Hambleton District Council*
- Harrogate Borough Council*
- Ryedale District Council*
- Scarborough Borough Council*
- Selby District Council*
- Resident Judge, York Crown Court
- Resident Judge, Teesside Crown Court
- Resident Judge, Bradford Crown Court
- Resident Judge, Leeds Crown Court
- Bench Liaison Judges

Proposed merger of the Local Justice Areas in North Yorkshire

- Designated Family Judge, HH Judge Finnerty
- North Yorkshire Branch of the Magistrates' Association
- Andrew Jones MP
- William Hague MP
- Robert Goodwill MP
- Nigel Adams MP
- Julian Smith MP
- Anne McIntosh MP
- Hugh Bayley MP
- Julia Mulligan, Police and Crime Commissioner for North Yorkshire
- Bedale Town Council
- Bentham Town Council
- Boroughbridge Town Council
- Brompton Town Council
- Colburn Town Council
- Easingwold Town Council
- Eastfield Town Council
- Filey Town Council
- Helmsley Town Council
- Kirbymoorside Town Council
- Leyburn Town Council
- Malton Town Council
- Middleham Town Council
- Northallerton Town Council

- Norton on Derwent Town Council
- Pateley Bridge & High and Low Bishopside Town Council
- Pickering Town Council
- Richmond Town Council
- Ripon City Council
- Selby (North, South and West) Town Council
- Settle Town Council
- Skipton Town Council
- Tadcaster Town Council
- Thirsk Town Council
- Whitby Town Councils (Mayfield cum Mulgrave & Streonshalh)
- Lord Lieutenant of North Yorkshire
- TJP Ramsden Esq., High Sheriff of North Yorkshire
- North Yorkshire Criminal Justice Board
- Crown Prosecution Service
- National Probation Service
- Chief Constable of North Yorkshire
- Secretary/Administrator of the North Eastern Circuit
- Youth Offending Service for North Yorkshire
- Youth Offending Service for the City of York
- The Legal Aid Agency, for defence solicitors
- The Witness Service
- Victim Support

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.

Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

Question 1: What comments would you like to make on the proposal to merge benches in North Yorkshire into one Local Justice Area to be known as the “North Yorkshire Local Justice Area”?

Question 2: Please describe any impacts the document has not already considered that should be taken into account and why.

Question 3: Do you have any additional evidence or information you believe should be taken into account in the equality impact assessment and why?

Question 4: Please indicate any alternative options you would like to put forward with your reasons why you consider this to be more appropriate than the proposed single Local Justice Area.

Thank you for participating in this consultation exercise.

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/>
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details/How to respond

Please send your response by 31st December 2014 to:

Sam Goozée

**Justices' Clerk for North and West Yorkshire
HM Courts & Tribunals Service
North and West Yorkshire Judicial Support Unit
Level 5
Leeds Magistrates' Court
PO Box 97
Westgate, Leeds
LS1 3JP**

Tel: 0113 285 5622

Email: NWYjudicial-support-unit@hmcts.gsi.gov.uk

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.

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available online at: www.justice.gov.uk/about/hmcts/index.htm.

Alternative format versions of this publication can be requested from the North and West Yorkshire Judicial Support Unit – details above.

Publication of response

A paper summarising the responses to this consultation will be published by 25th March 2015.

The response paper will be available online at:
www.justice.gov.uk/about/hmcts/index.htm.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Impact Assessment

1) What is the issue under consideration and what are the policy objectives and the intended effects?

Problem

The courts in North Yorkshire are faced with a falling caseload in criminal work whilst the formation of a single family court is expected to bring a rise in the caseload for the family court. Staffing numbers are determined by the caseload and not by the number of benches or courts. The caseload from 2010 to March 2014 is shown on **page 20**. Staff numbers have reduced in line with the caseload but there has not been any change to the LJA structures since the mergers of the York and Selby, and Harrogate and Skipton LJAs in 2010.

These factors mean that we now have too many courts sitting with insufficient work in them. Managers are working with the Bench Chairmen to reduce the number of scheduled courts. However, the caseload has reduced in some court areas, e.g. Skipton and Northallerton, to the level where the magistrates who sit there have only a limited range of experience which brings a risk to their level of competence.

Aims/objectives

To merge the Local Justice Areas of Harrogate and Skipton, Northallerton and Richmond, Scarborough, and York and Selby.

Outcomes

Greater flexibility in managing the caseload across North Yorkshire to reduce delays and provide a more consistent service without reducing the access to justice for court users who have to attend hearings.

To run only the number of courts that HMCTS and partner agencies have staff and resources to service.

To reduce the number of meetings that legal managers and staff must support.

2) What policy options have been considered, including alternatives to this proposal?

The JBG can address the fall in workload by centralising categories of business in a single LJA and has already done so with road traffic prosecutions which are heard in Northallerton. Further efficiencies are possible with other categories of business where the defendants do not have to attend the hearing in person. However, this results in only the magistrates in the LJA where the workload is listed hearing that type of case. This reduces the experience of magistrates in the other LJAs and therefore their competence. Each act of centralisation requires a separate decision by the JBG.

The formation of the single family court will result in a single family panel for North Yorkshire in 2015 aligned with the area led by the Designated Family Judge. The youth panels are voluntarily consulting on merging into a single panel which is likely to come into effect in 2015. Benches are being consulted upon a proposal to create a single Bench Training and Development Committee by 2015. The BTDCs support this proposal. These changes will provide a clearer management structure involving single panel or committee chairmen and providing the benefits of area wide training opportunities. We have considered the option of two benches but have ruled this out as one bench will be aligned with the single family panel and the proposed single youth panel and single BTDC. Two benches would also need to have Annual Election Meetings and Judicial Liaison Groups supported by the same members of staff.

Statutory amendment is required to merge LJAs. Bench meetings cannot be amalgamated so under the current bench structure support must be provided by legal managers to four Bench Chairmen and this number cannot be reduced.

Against this background, the time is right to consult upon mergers of LJAs.

Any viable alternative proposals put forward as a result of this consultation will be given full consideration.

3) Group(s) affected by this proposal

- a) *What is the main aim or purpose of the proposed new or changed legislation, policy, strategy, project or service and what are the intended outcomes?*

These plans principally affect the lay magistrates assigned to the four LJAs in North Yorkshire.

The current complement across the four benches is 259. This number has been falling since countywide recruitment of new magistrates last took place in 2010. Northallerton and Scarborough recruited a total of 7 new magistrates between 2011 and 2012.

Magistrates will continue to have the option to sit at a court of their convenience. Magistrates are entitled to claim travel and subsistence allowances and for loss of earnings. 5% of the magistracy have declared a disability. Those magistrates may be affected by the proposal if their ability to travel is restricted or if they are unable to access some of our court buildings. Those with family or caring responsibilities may be disproportionately inconvenienced by longer journey times to court. These impacts could be mitigated for those individuals by providing sitting opportunities at the most suitable courthouse.

The proposal will reduce the number of bench meetings and this will result in some meetings being more distant from the homes of the justices than is currently the case. This impact is acceptable and proportionate to the overall benefits gained from the change.

Individual risk assessments will be conducted for any magistrate who raises these issues with HMCTS via a personal questionnaire.

- b) *Are there gaps in information that make it difficult or impossible to form an opinion on how your proposals might affect different groups of people? If so, what are the gaps in the information and how and when do you plan to collect additional information?*

No gaps have been identified.

- c) *Having analysed the initial and additional sources of information including feedback from consultation, is there any evidence that the proposed changes will have a positive impact on any of these different groups of people and/or promote equality of opportunity? Please provide details of which benefits from the positive impacts and the evidence and analysis used to identify them.*

One purpose of this change is to ensure that there is flexibility in managing the caseload and to reduce the number of courts run to match the staff allocation. We will provide equal opportunities to sit at all of our courthouses. If support or facilities to assist individuals to increase their opportunities to sit are needed, they will be provided subject to the cost being reasonable.

- d) *Is there any feedback or evidence that additional work could be done to promote equality of opportunity? If the answer is yes, please provide details of whether or not you plan to undertake this work. If not, please say why.*

No such evidence has been identified.

- e) *Is there any evidence that proposed changes will have an adverse equality impact on any of these different groups of people? Please provide details of who the proposals affect, what the adverse impacts are and the evidence and analysis used to identify them.*

The proposals affect magistrates within the LJAs. Magistrates on the family and youth panels are already able to express a preference as to where they sit. This proposal will allow all magistrates to express their preferences. Court sittings are assigned on the basis of availability provided by the magistrates and the need for them to achieve the minimum sittings set by the Lord Chancellor. Individual preferences can be factored into the sitting rotas for each court.

- f) *Is there any evidence that the proposed changes have no equality impacts? Please provide details of the evidence and analysis used to reach the conclusion that the proposed changes have no impact on any of these different groups of people.*

We do not believe that there is any such evidence. Magistrates who do not wish to sit at more than one court site will not be required to do so. If the change is implemented a rota questionnaire will enable magistrates to specify their choices and any specific needs.

- g) *Is a full Equality Impact Assessment (EIA) required?* No

No adverse impacts have been identified. The consultation invites responses including any additional evidence or information in relation to equality impacts. Such evidence will be addressed as part of a full EIA.

- h) Even if a full EIA is not required, you are legally required to monitor and review the proposed changes after implementation to check they work as planned and to screen for unexpected equality impacts. Please provide details of how you will monitor, evaluate or review your proposals and when the review will take place.*

The changes will be monitored by the JBG and by HMCTS through the preparation of the rota which is done every 6 months. Sitting patterns and attendances are regularly monitored by the Bench Chairmen. Any anomalies will be identified through this process. Individual magistrates can raise concerns with their Bench Chairman or Deputy Justices' Clerk.

4) Will the policy affect the availability of public services?

This consultation does not raise questions about the future of the court estate across North Yorkshire. Any changes to the court schedule, including centralisation of categories of work, will be considered by the JBG and court users will be consulted in the normal way.

5) What improvements to the service will the proposal offer?

Effective use of available court time and courthouse resource, ensuring that the workload is completed expeditiously.

Reduction in duplication of work.

HMCTS staff focused on court based duties.

Formalising cross-area work for all magistrates.

Ensuring that the bench structure is sustainable.

6) Name of Senior Manager and date approved

Name: Mark Swales (Delivery Director, North East Region)
Department: HMCTS North East Regional Support Unit
Date: 01.09.14

Proposed merger of the Local Justice Areas in North Yorkshire

North Yorkshire Completed Proceedings

Location	2010/11	2011/12	2012/13	2013/14
England and Wales	2,806,944	2,656,065	2,458,616	2,432,422
Region: North East	465,491	451,154	422,582	418,840
LCJB: North Yorkshire	31,748	30,637	28,247	27,198
LJA: Harrogate & Skipton	7,609	7,427	5,842	5,531
LJA: Northallerton and Richmond	5,151	4,877	5,086	5,253
LJA: Scarborough	7,397	6,882	6,673	6,677
LJA: York and Selby	11,591	11,451	10,646	9,737

Location	2010/11	2011/12	Reduction % 2010/11 to 2011/12	2012/13	Reduction % 2011/12 to 2012/13	2013/14	Reduction % 2012/13 to 2013/14	Overall % Reduction 2010/11 to 2013/14
England and Wales	2,806,944	2,656,065	-5.38%	2,458,616	-8.03%	2,432,422	-1.08%	-15.40%
Region: North East	465,491	451,154	-3.08%	422,582	-6.76%	418,840	-0.89%	-11.14%
LCJB: North Yorkshire	31,748	30,637	-3.50%	28,247	-8.46%	27,198	-3.86%	-16.73%
LJA: Harrogate & Skipton	7,609	7,427	-2.39%	5,842	-27.13%	5,531	-5.62%	-37.57%
LJA: Northallerton and Richmond	5,151	4,877	-5.32%	5,086	4.11%	5,253	3.18%	1.94%
LJA: Scarborough	7,397	6,882	-6.96%	6,673	-3.13%	6,677	0.06%	-10.78%
LJA: York and Selby	11,591	11,451	-1.21%	10,646	-7.56%	9,737	-9.34%	-19.04%

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>

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