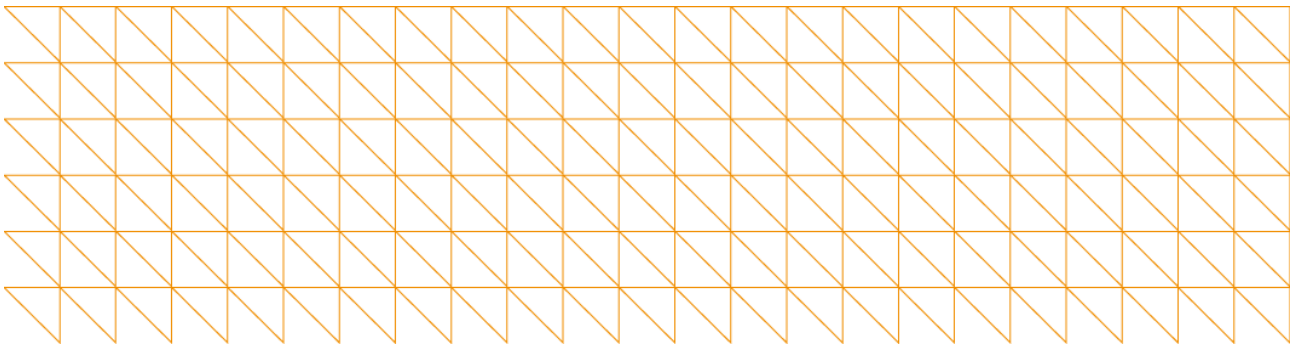




Ministry
of Justice

Response to consultation on proposed merger of the North-East Suffolk, South-East Suffolk and West Suffolk Local Justice Areas.

This response is published on 22 April 2014





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of Justice

Response to consultation on the proposed merger of the North-East Suffolk, South-East Suffolk and West Suffolk Local Justice Areas.

Response to consultation carried out by the Ministry of Justice.

This information is also available on the Ministry of Justice website: www.justice.gov.uk

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Introduction and contact details

This document is the post-consultation report for the consultation paper, 'Proposed merger of the North-East Suffolk, South-East Suffolk and West Suffolk Local Justice Areas'.

It will cover:

- the background to the report
- a summary of the responses to the report
- a detailed response to the specific questions raised in the report
- the next steps following this consultation.

Further copies of this report and the consultation paper can be obtained by contacting **David Ratcliffe** at the address below:

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This report is also available on the Ministry's website: www.justice.gov.uk.

Alternative format versions of this publication can be requested from Karen.dennis1@hmcts.gsi.gov.uk or telephone 01284 748481.

Complaints or comments

If you have any complaints or comments about the consultation process you should contact the Ministry of Justice at the above address.

Background

The consultation paper 'Proposed merger of the North-East Suffolk, South-East Suffolk and West Suffolk Local Justice Areas' was published on 14 February 2014. It invited comments on a proposal to merge the three current Local Justice Areas of North-East Suffolk, South-East Suffolk and West Suffolk Benches. The amalgamated bench will be known as the Suffolk Bench.

There is insufficient work, for all practical purposes, to make the continuance of three separate benches sustainable. The proposal sets out a way to allow local justice to be maintained. It will provide flexibility to enable all magistrates to undertake a number and range of sittings sufficient to develop and maintain competence and confidence, as well as enabling them to sit where they are most needed by the business.

The consultation period closed on 30 March 2014 and this report summarises the responses, including how the consultation process influenced the final shape/further development of the policy/proposal consulted upon.

The Impact Assessment was not commented on by those responding to the consultation. Therefore the consultation stage Impact Assessment has not been revised.

A list of respondents is at Annex A.

Summary of responses

1. A total of thirteen responses to the consultation paper were received. Of these, seven were from the magistracy. The remaining responses were received from agencies (two), local District Council, Criminal Justice Board, Police & Crime Commissioner and Member of Parliament.
2. The responses were analysed for the level of support to the proposal evidence and comments in relation to the impact of the proposals
3. Of the views expressed, five magistrates expressed support for the proposal as did the Police, Probation Service and District Council. One magistrate was not supportive of the proposal but did support the merger of the South-East Suffolk and West Suffolk Local Justice Areas.

Two responses commented on the need for the magistracy to be properly consulted in relation to the proposal.

Three responses commented that there did not appear to be any adverse impact with the proposal although did ask that, in the event of the proposal proceeding, consideration continue to be given to any unintended consequences for all agencies.

One response sought reassurance on a number of issues including, quantifiable evidence of the benefits linked to the proposals, savings are not lost to increased travel costs and performance.

Responses to specific questions

1. What comments would you like to make on the proposal to merge North-East Suffolk, South-East Suffolk and West Suffolk into one Local Justice Area to be known as 'Suffolk'?

The majority of the responses were supportive of the proposal. Of the responses from the magistracy, comments such as, "it is inevitable . . . it broadens the experience possibilities"; "It seems logical to me"; "I can see the case for merging" were made. The police were "fully supportive" of the proposal and Probation commented, "This merger makes sense". Both agencies recognized that the merger benefited the magistracy, and the comment was made, "This merger will enable magistrates to maintain and utilise their experience and competence". Only one person, a magistrate, expressed the view that they did not support the proposal, indicating that "the logic of combining the South-East and West Suffolk Benches is irresistible" but adding, "the creation of one LJA to cover 1500 square miles, mainly rural, should give pause for thought".

One response questioned the fact that the "consultation document does not specifically evidence how the proposal will better improve the service to users" and sought reassurance against a number of points, including quantifiable evidence of the benefits, savings not being lost to increased travel costs and performance not being adversely affected.

The District Council indicated there would be "severe disquiet" if the proposal proved to be a precursor to courthouse closure.

2. Please describe any particular impacts that should be taken into account and why.

Three responses indicated that there did not appear to be any adverse impact but asked that the position be monitored to ensure the courts functioned in an improved way and ensure there were no unintended consequences for agencies and court users.

Two responses made reference to transferred costs, "It is important that in taking a decision the public are kept informed and that we do not simply transfer the costs elsewhere"; and another, "The service available, whether as plaintiffs or witnesses, should at the very least be the same as now and preferably better. The proposals should not put excessive costs on the police and other emergency services".

One response expressed concern in the longer-term on the age profile for a combined bench and suggested recruitment of new and younger magistrates should be a priority.

One response expressed the view that "Cases should be heard as speedily as possible but in their nearest courthouse. Public transport for defendants/witnesses should be a priority when listing".

Conclusion and next steps

1. The Norfolk & Suffolk Judicial Business Group (JBG) is grateful for all of the comments and views received during this consultation and has paid careful attention to all of the responses received.
2. The responses were considered by the JBG when it met on the 8 April 2014. Additionally, the JBG considered the outcome of Bench meetings held in each local justice area convened to specifically consider the proposal. Each of the three benches recorded support for the proposal, from those magistrates in attendance. In North East Suffolk, 19 magistrates attended and voted unanimously in favour of the proposal. In West Suffolk, 41 attended, with a majority voting in favour (40 in favour) and similarly in South East Suffolk, 21 attended and voted by a majority in favour (19 in favour). The JBG voted unanimously in favour of recommending the proposal to merge the three local justice areas. In doing so it is satisfied that the merger of the local justice areas itself does not adversely impact upon court users. It will provide better opportunity for magistrates to retain competence across all areas of work and enable magistrates to better achieve their minimum sitting requirement. While recognizing that the proposal provides flexibility in listing no future change to listing would be taken without proper consultation with partner agencies.
3. The next stage in the process is to seek an Order being made by the Secretary of State by way of statutory instrument, by virtue of Section 8 of the Courts Act 2003.
4. In the event that an Order is made, it is intended that a single Local Justice Area and single Bench will be effective from 1 January 2015.
5. A 'Shadow' Bench Meeting will be held during August 2014 and a 'Shadow Election Meeting' in October 2014 to ensure necessary bench appointments are made.
6. The JBG will remain responsible for ensuring that appropriate arrangements are in place for the conduct of the judicial business of the area.

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

Sonia-Scott Barrett, JP

Gill Evans, JP

Sue Henney, JP

Christopher Judd, JP

The Hon. Ben Gummer MP

Muriel Lawrence, JP

Norfolk and Suffolk Criminal Justice Board

Norfolk and Suffolk Probation Trust

Tim Passmore, Suffolk Police and Crime Commissioner

Yvonne Powell, JP Chair of the National Bench Chairmens Forum

Douglas Paxton, Chief Constable, Suffolk Constabulary

Suffolk Coastal District Council and Waveney District Council

Paul Thacker, JP

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