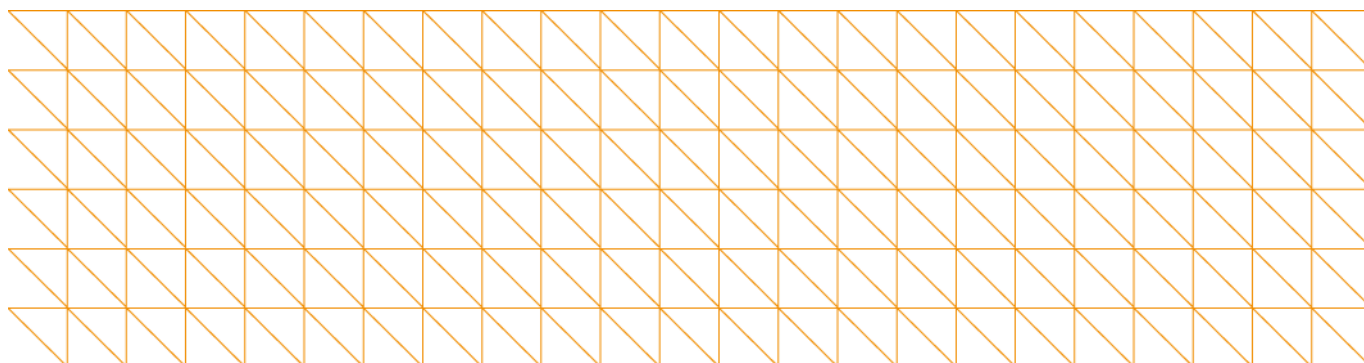


Proposed closure of Wantage Magistrates' Court

Response to Consultation

CP(R) 37/09

18 March 2010



Proposed closure of Wantage Magistrates' Court

Response to consultation carried out by Her Majesty's Courts Service, part of the Ministry of Justice. This information is also available on the Ministry of Justice website at www.justice.gov.uk

Contents

Introduction and contact details	3
Background	4
Summary of responses	5
Responses to specific questions	7
Conclusion and next steps	9
The consultation criteria	11
Annex A – List of respondents	12

Introduction and contact details

This document is the post-consultation report for the consultation paper, 'Proposed closure of Wantage Magistrates' Court'.

It covers:

- 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 **Dr Jonathan Lane** at the address below:

**Area Director's Office
Central Buckinghamshire Magistrates' Court
Walton Street
Aylesbury
Buckinghamshire
HP21 7QZ**

Telephone: 01296 554325

Email: jonathan.lane@hmcourts-service.gsi.gov.uk

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

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

Background

The consultation paper 'Proposed closure of Wantage Magistrates' Court' was published on 13 October 2009. It invited comments on the proposal to close Wantage Magistrates' Court and continue to hear South Oxfordshire cases in Didcot.

The key reasons for the proposal are:

- Wantage Magistrates' Court has a very low court room utilisation rating;
- the court rooms and related facilities there are in poor condition and have not seen substantial investment over recent years;
- there are no custodial facilities that are suitable for use that meet modern standards, which limits the type of work that can be carried out there;
- since the relatively recent upgrade to Didcot Magistrates' Court, it now has sufficient capacity to continue to hear the cases that would have been heard in Wantage; and
- transport links to and from Didcot are much better.

The consultation period closed on 5 January 2010 and this report summarises the responses, including how the consultation process influenced the final shape of the proposal consulted upon.

A list of respondents is at Annex A.

Summary of responses

1. A total of 9 responses to the consultation paper were received. Of these, two were from the magistracy, one from the judiciary, one from the Wantage Town Council, one from the High Sheriff of Oxfordshire, one from the Crown Prosecution Service, one from the Legal Services' Commission, one from the Law Society of England and Wales, and one from a member of the public.
2. The responses were analysed for the degree of support for, or opposition to, the proposal. They were also examined for evidence of particular impacts the proposal would have on court users.
3. Of the nine responses received, three were generic responses supporting the closure programme from specific bodies; National Bench Chairs Forum (NBCF), Magistrates' Association (MA) and the Legal Services Commission (LSC). Particular issues raised were:
 - (i) Increased travelling times
 - (ii) Impact on legal aid funding

Comments in the generic responses included:

"In general terms the 21 proposed closures seem to accept the status quo in that these courts are no longer in regular use by magistrates and suitable alternative arrangements have been made." – *National Bench Chairs' Forum*

"Our internal analysis has shown that the proposed closures are in courts where there is currently little legal aid activity"... We would expect that in taking any decisions on court closure you would take into account the impact on legal aid funding." – *Legal Services Commission*

"The MA appreciates that uneconomic court houses cannot be sustained...Rural areas and smaller communities need the same access to justice as large conurbations." – *Magistrates' Association*

4. Of the remaining five responses, three supported the proposal. These included the High Sheriff of Oxfordshire, the Chief Crown Prosecutor Thames Valley and HH Judge Elly. Their responses were as follows:

"I have no objections." – *HH Judge Elly*

"No particular comments to make on this matter." – *High Sheriff of Oxfordshire*

"No objection to the closure of Wantage Magistrates' Court." – *Chief Crown Prosecutor*

5. The three remaining respondents objected to the proposal setting out reasons which are summarised as follows:
- (i) Growth from new developments will increase demand.
 - (ii) Not coherent with the new sustainability law.
 - (iii) Increased travelling times.

Comments included:

“...with the new large developments which are being proposed in both Grove and Wantage the number of court cases heard at Magistrate Court level could increase and this would mean an increase in journeys to Didcot.” – *Wantage Town Council*

“Additional time will be incurred for members of the public to travel to Didcot...Solicitors will also have to travel further in order to represent their clients.” – *Law Society*

Responses to specific questions

1. What comments would you like to make on the proposal to close Wantage Magistrates' Court?

Only two responses were submitted, the comments are listed below:

"The cost saving from the closure of Wantage Magistrates' Court will be at the expense of local access to Justice." – *Law Society*

"In the current economic climate it is more important than ever to demonstrate that public funds are spent in the most efficient way." – *Legal Services Commission*

The HMCS response to the specific issue raised is:

- (i) Cost savings will be at the expense of local justice.

There has not been a need for a magistrates' court at Wantage for some time and there is no business imperative to bring these courtrooms back into use. There are no adverse implications for court users and the public with this proposal because the existing casework within the LJA is already being handled at Didcot, and these arrangements would continue if the proposals are taken forward. There has been no adverse impact on the timeliness of proceedings or the range of facilities available to users of the court. Also, there have been no complaints from users who now go to Didcot rather than Wantage.

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

Only one response was submitted, from the Law Society, outlining concerns surrounding increased time and cost to the public:

"The additional time for members of the public to travel to Didcot."

The HMCS response to the specific issue raised is:

- (i) Increased travelling time and expense for members of the public and solicitors

The court has received no adverse feedback from professional users or the local community since the cases were transferred to Didcot over two years ago. Some additional travelling may be incurred by some court users. However, given the number of customers attending the court and the close proximity and ease of access to Didcot, this has been minimal.

3. Will the closure of Wantage Magistrates' Court have a direct impact on you? If yes, please provide further details.

Two responses were submitted, reiterating concern about travelling times and the impact of the new development in Grove and Wantage:

"Solicitors will have to travel further in order to represent their clients."
– *Law Society*

"Large housing developments proposed for Grove and Wantage which would increase cases heard at Magistrates' Courts and mean in increase in journeys to Didcot." – *Wantage Town Council*

The HMCS responses to the specific issues raised are:

- (i) Increased travelling time and expense for members of the public and solicitors

The response to this point is set out above in the commentary on Question 2.

- (ii) New developments resulting in increased demand

We are aware of the proposed new development. However, we believe that there is sufficient capacity within the estate to accommodate any such growth and to allow for the closure of Wantage.

Conclusion and next steps

Of the nine responses received four came from national organisations, three from organisations of those with positions involved with the Criminal Justice System within Oxfordshire or the Thames Valley area, and two from the Wantage locality.

Those from the Wantage locality were opposed to the proposed closure in terms of local resources/facility, travel distances/ease of travel to Didcot, and the potential development growth in the local area. Other responses ranged from no comment/no objections to more broadly based comments from national organisations. The issue of local access and ease of travel featured prominently.

The objections received, however, do not overcome the fundamental issues underpinning this proposal. HMCS is under a duty to provide efficient and effective operation of the courts. On that basis the proposal to dispose of Wantage Magistrates' Court should continue.

We have examined our proposal to close Wantage Magistrates' Court and have concluded that it remains the best option in order to optimise the court estate, deliver value for money and provide better facilities for court users.

We are grateful to those who responded to the consultation, including those who raised potential impacts, concerns or objections.

We have considered in depth each of the concerns, objections and potential impacts raised by the respondents and have provided a response to each of these in the content of this paper.

Consultation Co-ordinator contact details

If you have any complaints or comments about the consultation **process** rather than about the topic covered by this paper, you should contact Julia Bradford, Ministry of Justice Consultation Co-ordinator, on 020 3334 4492, or e-mail her at consultation@justice.gsi.gov.uk.

Alternatively, you may wish to write to the address below:

Julia Bradford
Consultation Co-ordinator
Ministry of Justice
102 Petty France
London SW1H 9AJ

If your complaints or comments refer to the topic covered by this paper rather than the consultation process, please direct them to the contact given under the **Introduction and contact details** section of this paper at page 3.

The consultation criteria

The seven consultation criteria are as follows:

1. **When to consult** – Formal consultations should take place at a stage where there is scope to influence the policy outcome.
2. **Duration of consultation exercises** – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
3. **Clarity of scope and impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
4. **Accessibility of consultation exercises** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
5. **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
6. **Responsiveness of consultation exercise** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
7. **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

These criteria must be reproduced within all consultation documents.

Annex A – List of respondents

Steven Durno, Policy Officer – Administration of Justice, Law Society of England and Wales

John Morgan, Sales Manager

Richard Dick, High Sheriff of Oxfordshire

Baljit Ubje, Chief Crown Prosecutor, CPS Thames Valley

His Honour Judge Elly, Judiciary

Hilary Kell, Deputy Clerk, Wantage Town Council

Carolyn Regan, Chief Executive, Legal Services Commission

Frances Hoare, Chairman, National Bench Chairmen's Forum

Sonia Andrews, Council & Committee Officer, The Magistrates' Association, Judicial Policy & Practice Committee

© Crown copyright
Produced by the Ministry of Justice

Alternative format versions of this report are available on request from
01296 554 325.