

Report on Court closures in England and Wales – October 2015

Introduction

On 23 June 2015 the Lord Chancellor and Secretary of State for Justice announced his intention to work with the judiciary to reform the courts and tribunals in England and Wales: stating that reform will bring quicker and fairer access to justice and create a justice system that reflects the way people use services today. Essentially this means court closures largely as a cost saving exercise. This sentence is particularly ‘telling’: “We can only provide better access to justice if we take difficult decisions to reduce the cost of our estate and reinvest the savings. This means a significant number of additional courts will have to close”.

Preamble

Her Majesty’s Courts and Tribunals Service operates 460 courts and tribunal hearing centres across England and Wales. This costs taxpayers around half a billion pounds each year, apparently, it is underused. Last year over a third of all courts and tribunals were empty for more than fifty per cent of their available hearing time.

The proposed closures include: 57 magistrates’ courts, 19 county courts, 2 crown courts, 4 tribunal hearing centres and 9 combined courts.

Competence

Justice and Home Affairs has become a joint competence with the EU but as regards our courts it is only Eurojust that has a passing influence with regards to cross border crimes and jurisdiction for the subsequent legal procedure. There is no direct control of our court process and in fact Article 67 TFEU, now Article 61 Lisbon Treaty acknowledges the different legal systems in use within the EU Nations and seeks to protect them.

Conclusion

The proposed closure of the Bury St. Edmunds court(s) is a creature of deficit reduction and not an imposition by the EU.

References

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/308391/PCJCallForEvidence.pdf

http://ec.europa.eu/justice/criminal/criminal-law-policy/index_en.htm

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/388645/PCJBoCreport.pdf