



***Shaping Scotland's Court Services –
an evaluation after the first three years***

July 2016

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EXECUTIVE SUMMARY

1. Purpose

- 1.1. The purpose of this report is to evaluate the way in which the “Shaping Scotland’s Courts Services” proposals have been taken forward over the three year period from the publication of that report in April 2013 through to March 2016.

2. Background to this Evaluation

- 2.1. The Scottish Courts and Tribunals Service (SCTS) manages and provides all of the staff, buildings and services that are considered necessary for the efficient disposal of business in the courts, the devolved tribunals and the Office of the Public Guardian (OPG) in Scotland. That responsibility includes keeping the locations and structures in which we provide our services under review.
- 2.2. In April 2013 the SCTS set out its vision for courts to deliver its statutory functions in the following report:
“Shaping Scotland’s Court Services: The Scottish Court Service response to consultation and recommendations for a future court structure for Scotland (SCTS - April 2013)”¹
- 2.3. That report considered in detail the need to balance the effective local delivery of justice with the provision of an efficient service making full use of technology and living within constrained resources. The key operational changes that were set out in the report were:
 - High Court cases being heard primarily in three dedicated centres;
 - A move towards 16 specialist jury centres over a 10 year period;
 - The closure of 10 Sheriff Courts; and
 - The closure of 7 Justice of the Peace courts.
- 2.4. Three years after the proposals were published, a number of the principal aims have now been realised, with the longer term changes continuing on track. The primary focus over those three years has understandably been on the consolidation of court business as a result of the closure or relocation of facilities. For this reason it is important to track the impact of the changes, and this is captured in more detail in this report.
- 2.5. To ensure that the initial round of changes was successfully progressed, considerable time and effort has been invested by all involved (court staff, the judiciary, police, fiscals, prison service, witness service, victims support etc.) and the SCTS is now well advanced in delivering its stated vision.

3. Conclusions after the first three year period

- 3.1. The conclusions of this evaluation report are that:
 - The closure of the 10 sheriff courts and 7 JP courts has been successfully implemented;
 - The business redistributed following those closures is being managed within normal performance targets at the receiving courts;

¹ The April 2013 report is available at www.scotcourtribunals.gov.uk

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- The expected level of financial savings from the changes made are being realised;
- The SCTS has been able to target funding more productively on the maintenance and development of its retained estate; and
- The longer term vision for an efficient court structure is largely in place and the remaining elements continue to progress in parallel with the deployment of the new summary sheriff posts.

BACKGROUND INFORMATION

4. General Background

4.1. To provide access to justice for the people of Scotland the SCTS believes that it needs to have a court structure in place that does three things:

- It needs to support the ongoing reform of the justice system;
- it needs to support continuous improvement in the facilities and services we can provide for court and tribunal users; and
- it needs to be affordable in the long term.

4.2. This is a difficult balance, and the SCTS recognised that the status quo option of continuing to operate from all the pre 2013 court locations was not going to provide a viable solution.

4.3. Having established a need for fundamental change, the SCTS publicly developed and finalised the proposed changes to court structures, and then sought appropriate parliamentary scrutiny and approval of those changes:

Sep 2012 – The SCTS issued a detailed public consultation document on its proposals for change:

Shaping Scotland's Court Services: A public consultation on proposals for a court structure for the future (SCTS – Sep 2012)

Feb 2013 – The SCTS published an independent report summarising the responses to that public consultation:

Shaping Scotland's Court Services: An analysis of consultation responses (Griesbach & Associates – Feb 2013)

Apr 2013 – Having considered the consultation responses the SCTS published its final decisions on the changes required:

Shaping Scotland's Court Services: The Scottish Court Service response to consultation and recommendations for a future court structure for Scotland (SCTS - April 2013)

Jun 2013 – The Justice Committee of the Scottish Parliament then took evidence on the proposed changes and subsequently approved the statutory instruments that would put those changes into effect:

*The Sheriff Court Districts Amendment Order 2013; and
The Justice of the Peace Courts (Scotland) Amendment Order 2013*

5. What is the desired future structure for Courts and Tribunals?

5.1. Our long term vision is for a future courts and tribunals system that fully supports access to justice and our aim to build a stronger courts and tribunal service. The key tenets of the vision are that:

- Only matters requiring judicial process should be brought within the courts system and, so far as is consistent with the interests of justice, procedural stages ought to be dealt with in a way that does not entail personal appearance in a court room.
- The first choice for the conduct of administrative business should be through technology – electronic communications, web based systems, telephone and video conferencing.

- Where appearance before a court is necessary, as many participants as possible should be able to appear through video link.
- Justice centres should serve the main population centres of Scotland. These specialised centres, with a strong community justice approach, designed to deal with serious criminal, civil and tribunals business and supported with a wider network of smaller consolidated court facilities providing access to summary justice.

5.2. Longer term, the optimal future model includes purpose built justice centres in key strategic population centres including the Borders, Fife, Lanarkshire and the Highlands to complement the existing high quality courts that we already have in many of Scotland's cities. While we recognise that achievement of our longer term vision requires significant investment, we believe that such investment will provide Scotland with the service model for justice delivery it deserves.

6. What were the key changes recommended?

6.1. The changes set out in the April 2013 Shaping Scotland's Courts paper were designed to deliver both short and medium term changes consistent with our vision and allow us to focus limited future capital funding across a smaller group of buildings while maximising the benefit of that investment in the services delivered to court users. The key changes can be summarised as:

- High Court cases being heard primarily in three dedicated centres.
- A move towards 16 specialist jury centres over a longer 10 year period.
- The closure of 10 Sheriff Courts:

<i>Tranche</i>	<i>Implementation Date</i>	<i>Count</i>	<i>Sheriff Court Districts</i>
Tranche 1	30 Nov 2013	3	Kirkcudbright Sheriff Court District Rothesay Sheriff Court District Dornoch Sheriff Court District
Tranche 2	31 May 2014	3	Arbroath Sheriff Court District Cupar Sheriff Court District Stonehaven Sheriff Court District
Tranche 3	31 Jan 2015	4	Dingwall Sheriff Court District Duns Sheriff Court District Haddington Sheriff Court District Peebles Sheriff Court District
		10	

- The closure of 7 Justice of the Peace Courts:

<i>Tranche</i>	<i>Implementation Date</i>	<i>Count</i>	<i>Places where JP Courts Held (outwith sheriff court buildings)</i>
Tranche 1	30 Nov 2013	4	Annan JP Court Cumbernauld JP Court Motherwell JP Court Irvine JP Court
<i>Tranche</i>	<i>Implementation Date</i>	<i>Count</i>	<i>Places where JP Courts Held (within sheriff court buildings)</i>
Tranche 1	30 Nov 2013	3	Portree JP Court Stornoway JP Court Wick JP Court
		7	

7. Investigating the potential demand for Justice Centres

7.1. The establishment of Justice Centres is a key part of the longer term SCTS Vision for court structures and whilst the closure orders were being progressed through the Justice Committee, a commitment was given to Parliament that the SCTS would continue to actively explore that concept.

7.2. The current status with regard to the four areas previously identified as having potential for development of a Justice Centre is as follows:

- *The Scottish Borders* – a draft feasibility study was undertaken and the results published in June 2014. The final recommendation made was to continue with the current approach (i.e. operate from the existing courthouses provided in Jedburgh and Selkirk).
- *Inverness* – During 2014 and 2015 a working group including Members of the Scottish Parliament (MSPs), Scottish Government, the SCTS and Highland Council took forward an Options Appraisal exercise based on the court service vacating the Inverness Castle site and relocating to an alternate site. Following that feasibility study, firm commitments have now been given to proceed with the development of a Justice Centre in Inverness. For 2016 the SCTS has progressed to the site acquisition stage, a construction project manager has been appointed, and a project team has been convened to work on the building design for the new centre.
- *Fife* – An outline feasibility study has been completed and funding options are being explored with Scottish Government.
- *Lanarkshire* – An outline feasibility study has been completed and funding options are being explored with Scottish Government.

8. Consolidating the remaining Split Sites

8.1. The SCTS has always aimed to avoid the inefficiencies that arise from running split site operations and by 2013 there were only four JP Courts remaining that sat in the same town as their respective sheriff court, but operated from a different building.

8.2. In 2014 an investment was made in a building adjacent to Aberdeen Sheriff Court which added capacity and supported the subsequent transfer of that particular JP court workload into the main sheriff court building.

8.3. As at March 2016 there are three towns remaining (*Coatbridge, Hamilton and Kirkcaldy*) where the SCTS continues to operate a JP court from a stand-alone site in the same town as a Sheriff Court. Each of the relevant receiving sheriff courts (*Airdrie, Hamilton and Kirkcaldy*) would require sizeable investment to create additional courtrooms before they could consider taking on additional JP court business.

8.4. Those building transfers remain as potential developments and we will continue to consider within our future estate strategy.

9. The Assumptions made on Business Volumes

- 9.1. The planning assumptions made in April 2013 were that the levels of criminal court business across Scotland would remain relatively flat, and that civil business would continue to decline slightly and then level out. As the SCTS confirmed to the Justice Committee at that time, the planned court closures would amount to the redistribution of less than 5% of the overall court business being managed.
- 9.2. As there was no reduction in the total business volumes being managed by the SCTS, court closures proceeded on the basis that the total staff and judicial resources would be held at pre closure levels. That approach helped to ensure that each receiving court had sufficient resources available to handle any civil and criminal business that was transferred as a direct consequence of a court closure.

Subsequent Fluctuations

- 9.3. During 2014 and 2015 the reporting and detection of crimes across Scotland, particularly domestic abuse and sexual offences, increased significantly - this is reflected in the overall business trends for the SCTS as summarised in Appendix 2.
- 9.4. Those volume increases reflected a change to more proactive policing and prosecution policies, and greater victim confidence to report crimes. These cases not only increased in volume but were often more complex and likely to require more court time.
- 9.5. In spite of those fluctuations the SCTS has ensured that following the court closures, sufficient physical courtroom capacity does exist in the retained estate to effectively manage that increased volume and complexity of business. Additional funding was released by Scottish Government - and additional judiciary, court and fiscal staff were deployed to use the available court capacity to ensure that business continued to be dealt with effectively by the courts.
- 9.6. Some commentators sought to make associations between court closure decisions and the general increase in criminal business in 2014 and 2015 but there is no causal link between the two. In collaboration with the Justice Board for Scotland, the delivery of additional judicial, court and fiscal staff has ensured that both the recent lift in business volumes and the consolidation of the court estate have been successfully managed. This is borne out through the waiting time information available later in this report.

THE HIGH COURT CIRCUIT

10. The vision.

- 10.1 The recommendations made in the 2013 report relative to the High Court were that:
- The High Court should sit as a court of first instance primarily in dedicated High Court centres in Edinburgh, Glasgow and Aberdeen;
 - Additional sitting capacity should be provided only in designated sheriff courts in Greenock, Paisley, Dumbarton, Livingston and Dunfermline;
 - There should remain the opportunity for a sitting of the High Court to be held at another location when the Lord Justice General or the Lord Advocate considers that to be in the interests of justice; and
 - The changes should be phased over the period to 31 March 2015.

11. What has been implemented so far?

11.1. The High Court has adjusted its approach as follows:

Dedicated High Court Centres

11.2. For the 2016 calendar year the three dedicated High Court centres are providing 88% (3,000) of the 3,425 planned sitting days for trials in the High Court.

11.3. The SCTS has invested in the development of two new courtrooms in the Glasgow High Court building, and those two courts will become operational in June and September 2016. Those will add an additional capacity of 500 sitting days per annum, which will reduce the need for the High Court to requisition sitting days from designated sheriff courts in future years.

The Bank of Designated Sheriff Courts

11.4. Since 2013 there has been an increase in the amount of High Court business proceeding to trial but the call on the bank of designated sheriff courts has been kept to the minimum practicable e.g. for the 2016 calendar year six sheriff courts were asked to provide a total of 425 planned sitting days for High Court trials (*down from the eight courts who were asked to provide 620 days in 2012*).

Ad Hoc Sittings

11.5. Over the last three years there have been a handful of cases that were allocated to other court locations in the interests of justice. The system remains flexible enough to deal with such exceptions.

12. What benefits are being realised?

12.1. The benefits that are being realised from this change include:

- Increased certainty for High court users in the three primary centres as judicial management can be used to increase the prospect of a case beginning at its allotted time, and proceeding at that time.
- The opportunity to reschedule cases to take up any capacity made available through premature conclusion of other High Court business.
- The ability to provide a higher level of security for lengthy cases when they are heard in the three dedicated high court centres.
- Those sheriff courts that are no longer required to undertake High Court business, are able to use that capacity to progress their own caseload.

13. What remains to be implemented (after March 2016)?

13.1. The changes to High Court working practices are in place and will be kept under review as part of the SCTS business planning process. There are no consequential changes outstanding.

A SHERIFF CENTERED MODEL FOR SHERIFF AND JURY BUSINESS

14. The vision.

14.1. The recommendations made in the 2013 report relative to the shift to a sheriff centred model were that:

- In the mainland jurisdictions, sheriff and jury business should routinely be held only at the sheriff courts of:
Glasgow, Aberdeen, Inverness, Edinburgh, Livingston, Paisley, Dumbarton, Kilmarnock, Airdrie, Hamilton, Ayr, Dumfries, Perth, Dundee, Falkirk and Dunfermline.
- In the mainland jurisdictions, as the body of summary sheriffs becomes established, these sixteen courts should become centres of shrieval specialism or sheriff centred courts in the civil, administrative and miscellaneous jurisdiction of the sheriff, where business in those jurisdictions would be dealt with.
- The Sheriff Courts at Lerwick, Kirkwall, Stornoway, Lochmaddy and Portree should continue to hear all business within the jurisdiction of the sheriff.
- The above changes should be progressively introduced over a period of ten years, being dependent on:
 - the deployment of sheriffs and summary sheriffs;
 - having sufficient court capacity at receiving courts;
 - the development of the use of video and other communications technology in court proceedings; and
 - subject to any opportunity emerging to realise our longer term vision of purpose built justice centres.

15. What has been implemented so far?

Summary Sheriffs

15.1. The phased introduction of summary sheriffs has begun and the first tranche of fifteen summary sheriffs have taken up post during April 2016.

15.2. The judicial recruitment campaigns for future years will be focused on rapidly building the total numbers of summary sheriffs in key locations, and the future judicial deployment decisions taken by Sheriffs Principal will increasingly be shaped around the goal of shifting solemn business over to the courts designated as sheriff-centred.

Consolidating the Workload

15.3. Work has started to refocus the 14% of sheriff and jury business not previously managed within designated jury centres, and that will gain real pace once the right critical mass of summary sheriffs is available in each sheriffdom and reforms resulting from Sheriff Principal Bowen's review of Sheriff and Jury Procedure are working effectively. The right timing for those incremental moves of solemn business remains under review by Sheriffs Principal and are part of the SCTS business planning processes.

Planning for Justice Centres

15.4. Over the last three years significant progress has been made on the vision for developing a Justice Centre in Inverness. The SCTS has secured some funding and moved to the site acquisition stage. Initial design work is now underway and that includes future proofing the Inverness design to reflect the planned future role of Inverness as a regional jury centre.

15.5. Work continues to engage with partner organisations to press for funding for a Justice Centre in the Kirkcaldy area. The case for a Justice Centre development in Airdrie remains as strong as it was at the time of the original report.

16. What benefits are being realised?

16.1. The benefits that are expected from this change include:

- A shift to a sheriff centred model will allow solemn business to increasingly be treated as a specialism, in which sheriffs and staff can develop more efficient working practices.
- The accompanying moves to the Justice Centre model will improve the links to the wrap around services needed within this specialist area of business.

17. What remains to be implemented (after March 2016)?

Digital Innovation

17.1. The desire to reduce the need for personal appearances in court for procedural business is directly linked to the rollout of appropriate technologies. Some good progress has been made over the last three years with the selected use of video conferencing and all of the other technologies used in court proceedings, but much more is required along with changes in legislation. The SCTS will continue to support transformation in the way the courts can and do adopt digital technologies, and the proposals reported in the SCTS report "Evidence and Procedure - Next Steps"² provides details of this.

Court Design?

17.2. The desired future role of jury centres has been factored into the SCTS Estates Strategy, and improvement of the jury rooms, jury courts, jury muster areas and circulation routes in those locations will continue to be prioritised within our annual capital works programme.

CLOSURE OF JP COURTS WHERE THERE IS NO SHERIFF COURTHOUSE

18. The vision.

18.1. The recommendations made in the 2013 report relative to the closure of stand-alone JP courts were:

- the Justice of the Peace Courts at Cumbernauld, Annan, Irvine and Motherwell should close and the business be transferred to a justice of the peace court sitting in the sheriff courthouse for the district, except for Cumbernauld where the business should transfer to the justice of the peace court sitting at Coatbridge.

² The Evidence and Procedure - Next Steps report is available at www.scotcourtribunals.gov.uk

- Subject to Parliamentary approval these changes should take place in November 2013.

19. What has been implemented so far?

19.1. In June 2013 the Justice Committee of the Scottish Parliament approved the closure of those four JP courts in “The Justice of the Peace Courts (Scotland) Amendment Order 2013” (SSI 2013/153):

<i>Closing Court</i>	<i>Receiving Court</i>	<i>Receiving Sheriff Court District</i>	<i>Date of Closure</i>	<i>Parliamentary Authority</i>
Annan JP Court	Dumfries Sheriff & JP Court	Dumfries Sheriff Court District	30 Nov 2013	SSI 2013/153
Irvine JP Court	Kilmarnock Sheriff & JP Court	Kilmarnock Sheriff Court District	30 Nov 2013	SSI 2013/153
Motherwell JP Court	Hamilton JP Court	Hamilton Sheriff Court District	30 Nov 2013	SSI 2013/153
Cumbernauld JP Court	Coatbridge JP Court	Airdrie Sheriff Court District	30 Nov 2013	SSI 2013/153

19.2. All four closing courts then ceased operating from their current location in November 2013, as planned, and their operational workload was successfully transferred to their designated receiving court.

Managing the Buildings (at closed sites)

19.3. The Annan, Irvine and Motherwell buildings were all leasehold properties. The relevant termination clauses were activated and notice of exit given in line with those contractual arrangements. As all three properties were leased from local authorities they became available to those councils for suitable reuse.

19.4. The Cumbernauld facility was owned by the SCTS but as part of a larger local authority building. The SCTS part was declared surplus with effect from November 2013.

20. What benefits are being realised?

20.1. The benefits that are being realised from this change include:

- The access to a higher standard of facility at the receiving sheriff court provides an improved user experience for those who do have a need to attend court.
- There is a reduction in annual running costs from exiting the four buildings, including their associated ICT links.
- There is the ability to avoid the backlog maintenance that had been accumulating on the Cumbernauld site; and that property can be made available to the council for reuse.

21. What remains to be implemented (after March 2016)?

21.1. This change has been delivered in full. The one consequential change outstanding is to formalise a disposal of the surplus building at Cumbernauld.

DISESTABLISHMENT OF JP COURTS AT PORTREE, STORNOWAY AND WICK

22. The vision

22.1. The recommendations made in the 2013 report relative to the disestablishment of JP Courts were that:

- The Justice of the Peace Courts at Portree, Stornoway and Wick should be disestablished and all summary criminal business heard in the local sheriff court.
- Subject to Parliamentary approval these changes should take place in November 2013.

23. What has been implemented so far?

23.1. In June 2013 the Justice Committee of the Scottish Parliament approved the disestablishment of those three JP courts in “The Justice of the Peace Courts (Scotland) Amendment Order 2013” (SSI 2013/153):

Closing Court	Receiving Court	Receiving Sheriff Court District	Date of Disestablishment	Parliamentary Authority
Portree JP Court	Portree Sheriff Court	Portree Sheriff Court	30 Nov 2013	SSI 2013/153
Stornoway JP Court	Stornoway Sheriff Court	Stornoway Sheriff Court	30 Nov 2013	SSI 2013/153
Wick JP Court	Wick Sheriff Court	Wick Sheriff Court	30 Nov 2013	SSI 2013/153

23.2. From November 2013 onwards the JP caseload of those three courts was readily absorbed into the summary criminal programme of their respective sheriff court.

Managing the Buildings (at closed sites)

23.3. These three JP courts were operating from the same courthouse as their associated sheriff court so there are no material impacts on the buildings (*other than not having to find working space for a visiting JP and legal advisor*).

24. What benefits are being realised?

24.1. The benefits that are being realised from this change include:

- the previous JP caseload is now progressed within the more frequent sittings of the sheriff courts (which reduces waiting times);
- for both the JP and the legal advisor the travel and subsistence costs of attending some of the scheduled court sittings is avoided; and
- the Sheriff Principal and the Sheriffdom Legal Advisor avoid the workload previously involved in the on-going recruitment, appointment and training of lay justice panels in Skye, Lewis and Wick.

25. What remains to be implemented (after March 2016)?

25.1. This change has been delivered in full. There are no subsequent changes outstanding.

SHERIFF AND JP COURTS WITH A LOW VOLUME OF BUSINESS

26. The vision

26.1. The recommendations made in the 2013 report relative to sheriff courts with a very low volume of business were that:

- the Sheriff Courts and Justice of the Peace courts should cease to be held in Dornoch, Duns, Kirkcudbright and Peebles, a sheriff court should cease to be held at Rothesay, and the court buildings and court accommodation in those places should be closed;
- the business from these courts should be transferred to the neighbouring sheriff court districts and be heard at the sheriff courthouse in Tain, Jedburgh, Dumfries, Selkirk and Greenock respectively; and
- subject to Parliamentary approval the changes to Dornoch, Kirkcudbright and Rothesay should be achieved in November 2013, with the changes to Peebles and Duns being achieved in January 2015.

27. What has been implemented so far?

27.1. In June 2013 the Justice Committee of the Scottish Parliament approved the closure of those five courts in “The Sheriff Court Districts Amendment Order 2013” (SSI 2013/152):

Closing Court	Receiving Sheriff Court	Receiving Sheriff Court District	Date of Closure	Parliamentary Authority
Dornoch Sheriff Court	Tain Sheriff & JP Court	Tain Sheriff Court District	30 Nov 2013	SSI 2015/152 SSI 2015/153
Duns Sheriff Court	Jedburgh Sheriff & JP Court	Jedburgh Sheriff Court District	31 Jan 2015	SSI 2015/152 SSI 2015/153
Kirkcudbright Sheriff Court	Dumfries Sheriff & JP Court	Dumfries Sheriff Court District	30 Nov 2013	SSI 2015/152 SSI 2015/153
Peebles Sheriff Court	Selkirk Sheriff & JP Court	Selkirk Sheriff Court District	31 Jan 2015	SSI 2015/152 SSI 2015/153
Rothsay Sheriff Court	Greenock Sheriff & JP Court	Greenock Sheriff Court District	30 Nov 2013	SSI 2015/152 SSI 2015/153

27.2. The associated JP Courts in each of those locations were disestablished at the same time by virtue of “The Justice of the Peace Courts (Scotland) Amendment Order 2013” (SSI 2013/153).

27.3. The SCTS successfully transferred the caseload of all five courts to the receiving courts as planned in November 2013 and January 2015.

Managing the Buildings (at closed sites)

27.4. The Peebles and Rothsay buildings were leasehold properties. The relevant termination clauses were activated and notice of exit given in line with those contractual arrangements. As both properties were leased from local authorities those buildings are now available to the councils for suitable reuse.

27.5. The Duns, Dornoch and Kirkcudbright properties were all owned by the SCTS. They were each declared surplus from their respective dates of closure.

28. What benefits are being realised?

28.1. The benefits that are being realised from this change include:

- the ability to access a higher standard of facility at the receiving courts provides an improved user experience for those people in the local community who do need to attend a court venue;
- the reduction in the annual running costs from exiting the operational use of all five buildings, including their associated ICT links;
- the three owned buildings have been declared surplus (*of which two have been sold*); and
- the three owned buildings do not have to be maintained for operational use, and those funds are able to be deployed elsewhere.

29. What remains to be implemented (after March 2016)?

29.1. This change has been delivered in full. The only consequential change outstanding is to formalise disposal of the surplus property at Duns.

SHERIFF COURTS IN PROXIMITY TO ANOTHER

30. The vision.

30.1. The recommendations made in the 2013 report relative to the Sheriff Courts that were in close proximity to each other were that:

- the sheriff courts and justice of the peace courts should cease to be held in Cupar, Dingwall, Arbroath, Haddington and Stonehaven and the court buildings and court accommodation in those places should be closed;
- the business from these courts should be transferred to the neighbouring sheriff court districts and be heard at the sheriff courthouse in Dundee, Inverness, Forfar, Edinburgh and Aberdeen respectively; and
- subject to Parliamentary approval the changes to Arbroath, Cupar and Stonehaven should take place in May 2014, with the changes to Haddington and Dingwall taking place in January 2015.

31. What has been implemented so far?

31.1. In June 2013 the Justice Committee of the Scottish Parliament approved the closure of those five courts in “The Sheriff Court Districts Amendment Order 2013” (SSI 2013/152):

<i>Closing Court</i>	<i>Receiving Sheriff Court</i>	<i>Receiving Sheriff Court District</i>	<i>Date of Closure</i>	<i>Parliamentary Authority</i>
Cupar Sheriff Court	Dundee Sheriff & JP Court	Dundee Sheriff Court District	31 May 2014	SSI 2015/152
Dingwall Sheriff Court	Inverness Sheriff & JP Court	Inverness Sheriff Court District	31 Jan 2015	SSI 2015/152
Arbroath Sheriff Court	Forfar Sheriff & JP Court	Forfar Sheriff Court District	31 May 2014	SSI 2015/152
Haddington Sheriff Court	Edinburgh Sheriff & JP Court	Edinburgh Sheriff Court District	31 Jan 2015	SSI 2015/152
Stonehaven Sheriff Court	Aberdeen Sheriff & JP Court	Aberdeen Sheriff Court District Court	31 May 2014	SSI 2015/152

31.2. The associated JP Courts in each of those locations were disestablished at the same time by virtue of “The Justice of the Peace Courts (Scotland) Amendment Order 2013” (SSI 2013/153).

31.3. The SCTS successfully transferred the caseload of all five courts to the receiving courts as planned in May 2014 and January 2015.

Managing the Buildings (at closed sites)

31.4. The five properties at the closing court locations are all owned by the SCTS. They have each been declared surplus from their respective dates of closure.

32. What benefits are being realised?

32.1. The benefits that are being realised from this change include:

- The ability to access a higher standard of facility at the receiving courts provides an improved user experience for people in the local community who do need to attend a court venue;
- The reduction in the annual running costs from exiting the operational use of all five buildings, including their associated ICT links;

- The five owned buildings have been declared surplus; and one of those (Haddington) has subsequently been disposed of by public sector transfer; and
- The five owned buildings do not have to be maintained for operational use, and those funds are able to be deployed elsewhere.

33. What remains to be implemented (after March 2016)?

33.1. This change has been delivered and the only consequential changes outstanding are to achieve a satisfactory disposal of the four remaining surplus properties. Further detail is provided at 36.4.

THE FINANCIAL IMPACTS

33.2. The financial tables included in the April 2013 report indicated the savings from all potential changes including the exit of the sites at Coatbridge, Kirkcaldy and Hamilton which have not yet proceeded. For those changes that have been implemented during the first three year period the financial impacts are in line with expectations.

Annual Running Costs

33.3. The following table summarises the £2.1M savings that have been realised to date by the SCTS, and indicates the recurrent savings of £1.3M per year that the SCTS can expect to deliver each year once we have fully disposed of all surplus buildings:

Recurring Savings Efficiencies and Costs	Savings Attributable To Jun 2013 Orders	Savings Realised 2013-14	Savings Realised 2014-15	Savings Realised 2015-16	Cumulative Savings 3 years to Mar-16	Expected Recurrent Savings per year
Building Running Cost Savings	674,000	87,333	351,375	463,375	902,083	674,000
Depreciation Savings	273,000	76,550	273,790	273,790	624,130	273,790
Annual Operational Savings	60,000	8,733	35,138	46,338	90,208	67,400
Travel & Subsistence Savings	60,000	2,786	30,186	61,301	94,273	61,301
Total Recurring Savings	1,067,000	175,403	690,489	844,803	1,710,695	1,076,491
Less Rental Income Foregone	-79,093	-2,731	-38,398	-79,093	-120,222	-79,093
Net Recurring Cash Savings	987,907	172,672	652,091	765,710	1,590,473	997,398
Staff Capacity Efficiencies	120,000	0	77,423	142,671	220,095	142,671
Part Time Sheriff Savings	180,000	7,740	83,850	170,280	261,870	170,280
Time Releasing Savings	300,000	7,740	161,273	312,951	481,965	312,951
Total Savings	1,287,907	180,412	813,364	1,078,661	2,072,437	1,310,349

One Off Costs and Potential Savings

33.4. The April 2013 paper also set out our expectations on the one off costs, capital receipts, and savings relative to the changes that have been made:

One Off and Short Term Savings and costs	Savings Attributable To Jun 2013 Orders	Savings Realised / Cost Incurred to date
Savings on Backlog Maintenance	2,837,000	2,836,798
One Off Capital Receipts on disposal	2,180,000	209,900
One Off Restructuring Costs	-700,000	-478,053
One off costs to add court capacity	0	0

33.5. Further background detail supporting both of the above tables is set out in the following sections of this paper.

34. What savings in annual running costs are being realised?

Running Costs Avoided (from the exit of owned buildings)

34.1. At this time, two surplus buildings have been sold, and one surplus building has been formally transferred back to a local authority. The consequent reduction in building running costs for those three buildings is a saving quantified at £168,000 for the three year period ended March 2016:

Court	Count	Annual Cost Saving	Tenure	Date of Closure	Savings Realised 2013-14	Savings Realised 2014-15	Savings Realised 2015-16	Cumulative Savings (last 3 years)	Status
Dornoch	1	45,000	Ow ned	Nov-13	7,500	24,375	45,000	76,875	Sold Feb 2015
Haddington	1	47,000	Ow ned	Jan-15	0	3,917	29,375	33,292	Transferred Dec 2015
Kirkcudbright	1	48,000	Ow ned	Nov-13	8,000	24,000	26,000	58,000	Sold Feb 2016
	3	140,000			15,500	52,292	100,375	168,167	

Note:

1. Column 3 reflects the baseline running costs for the 2011-12 Financial Year
2. A 50% reduction in baseline running costs is recognised as a saving from the month a building is closed
3. A 100% reduction in baseline running costs is recognised as a saving from the month a building is sold (or otherwise disposed of)

34.2. Avoiding the annual running costs of those three previously owned buildings in future years will provide a recurrent savings of £140,000 per annum.

Running Costs Avoided (from the surplus buildings still held)

34.3. There are a further six owned buildings that have been withdrawn from operational use but have not yet been disposed of.

34.4. Because they are still held, but are no longer operational, we are achieving significant reductions from their previous level of annual running costs, but will not achieve the full savings expected until the disposal of each surplus building is formalised. At this stage the consequent reduction in the annual building running costs has been quantified as an estimated saving of £306,000 for the three year period ended March 2016:

Court	Count	Annual Cost Saving	Tenure	Date of Closure	Savings Realised 2013-14	Savings Realised 2014-15	Savings Realised 2015-16	Cumulative Savings (last 3 years)	Status
Arbroath	1	70,000	Ow ned	May-14	0	29,167	35,000	64,167	Still Held
Cumbernauld JP	1	81,000	Ow ned	Nov-13	13,500	40,500	40,500	94,500	Still Held
Cupar	1	57,000	Ow ned	May-14	0	23,750	28,500	52,250	Still Held
Dingwall	1	63,000	Ow ned	Jan-15	0	5,250	31,500	36,750	Still Held
Duns	1	21,000	Ow ned	Jan-15	0	1,750	10,500	12,250	Still Held
Stonehaven	1	50,000	Ow ned	May-14	0	20,833	25,000	45,833	Still Held
	6	342,000			13,500	121,250	171,000	305,750	

Note:

1. Column 3 reflects the baseline running costs for the 2011-12 Financial Year
2. A 50% reduction in baseline running costs is recognised as a saving from the month a building is closed
3. That saving will increase to 100% of baseline from the month a building is eventually sold (or otherwise disposed of)

34.5. That reduction in the costs of those six owned buildings will provide a minimum recurrent savings of £171,000 per annum, and we expect that will increase to £342,000 per annum once all of those surplus buildings have been sold or otherwise disposed of.

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Running Costs Avoided (from the exit of leased buildings)

34.6. For those five court closures at sites where the court building was leased the SCTS was able to give each landlord advance notice and exit each lease in line with the agreed termination clauses in those contracts.

34.7. The consequent reduction in building running costs has equated to a saving quantified at £428,000 for the three year period ended March 2016:

Court	Count	Annual Cost Saving	Tenure	Date of Closure	Savings Realised 2013-14	Savings Realised 2014-15	Savings Realised 2015-16	Cumulative Savings (last 3 years)
Annan JP	1	8,000	Leased	Nov-13	2,667	8,000	8,000	18,667
Irvine JP	1	61,000	Leased	Nov-13	20,333	61,000	61,000	142,333
Motherwell JP	1	100,000	Leased	Nov-13	33,333	100,000	100,000	233,333
Peebles Sheriff Ct	1	17,000	Leased	Jan-15	0	2,833	17,000	19,833
Rothsay Sheriff Ct	1	6,000	Leased	Nov-13	2,000	6,000	6,000	14,000
	5	192,000			58,333	177,833	192,000	428,167

Note:

1. Column 3 reflects the baseline running costs for the 2011-12 Financial Year

2. A 100% reduction in baseline running costs is recognised as a saving from the month a building is closed

34.8. Avoiding the annual running costs of those five leased buildings in future years will provide a recurrent savings of £192,000 per annum.

Depreciation Charges Avoided

34.9. An annual depreciation charge only applies where buildings are held for operational use. Once a building ceases to be used for operational purposes its value is reduced from Depreciated Replacement Cost (DRC) to the value it is likely to achieve through sale on the open market.

34.10. The in-year depreciation charge ceases to be made at all in the financial year that each building is declared surplus and the consequent reduction in building running costs has equated to a saving of £624,000 for the three year period ended March 2016:

Court	Count	DEPRECIATION			Cumulative Savings (last 3 years)		
		Date of Closure	Savings Realised 2013-14	Savings Realised 2014-15		Savings Realised 2015-16	
Sheriff Courts	Arbroath	1	May-14	0	55,350	55,350	110,700
	Cupar	1	May-14	0	35,400	35,400	70,800
	Dingwall	1	Jan-15	0	28,780	28,780	57,560
	Dornoch	1	Nov-13	23,510	23,510	23,510	70,530
	Duns	1	Jan-15	0	15,360	15,360	30,720
	Haddington	1	Jan-15	0	34,270	34,270	68,540
	Kirkcudbright	1	Nov-13	33,000	33,000	33,000	99,000
	Peebles	1	Jan-15	0	0	0	0
	Rothsay	1	Nov-13	0	0	0	0
	Stonehaven	1	May-14	0	28,080	28,080	56,160
	10			56,510	253,750	253,750	564,010
Stand Alone JP Courts							
Annan JP	1	Nov-13	0	0	0	0	0
Cumbernauld JP	1	Nov-13	20,040	20,040	20,040	60,120	
Irvine JP	1	Nov-13	0	0	0	0	
Motherwell JP	1	Nov-13	0	0	0	0	
	4			20,040	20,040	20,040	60,120
CLOSURE TOTALS	14			76,550	273,790	273,790	624,130

34.11. That recurrent reduction in annual running costs will continue at a rate of £274,000 each year.

Loss of Rental Income

34.12. In some of the closed locations the SCTS had previously been receiving rental income from justice partners who had arrangements in place to share space in those buildings. The cost of that loss of income has been assessed of £120,000 for the three year period up to the 31st Mar 2016:

Court	Count	Rental Income Foregone	RENTAL INCOME FOREGONE			Cumulative Costs (last 3 years)		
			Date of Closure	Costs Incurred 2013-14	Costs Incurred 2014-15		Costs Incurred 2015-16	
Sheriff Courts	Cupar	1	-18,695	May-14	0	-15,579	-18,695	-34,274
	Dingwall	1	-37,993	Jan-15	0	-6,332	-37,993	-44,325
	Duns	1	-5,325	Jan-15	0	-888	-5,325	-6,213
	Kirkcudbright	1	-8,194	Nov-13	-2,731	-8,194	-8,194	-19,119
	Stonehaven	1	-8,886	May-14	0	-7,405	-8,886	-16,291
		5	-79,093		-2,731	-38,398	-79,093	-120,222

34.13. That recurrent cost will continue at a rate of £79,000 each year, which partially offsets the much larger savings that are being made on accommodation costs.

35. What other savings and benefits are being realised?

Reduced System Costs (supervisory staff)

35.1. In 2013 the general principle was that as the SCTS would be handling the same volume of business, then the same volume of staff resources should continue to manage business at the receiving courts. That meant there would be no compulsory redundancies and the limited staff savings that were considered to be available simply recognised that over time there could be some potential rationalisation in the level of staff supervision required once staff were consolidated onto fewer sites.

35.2. The staff complements are continually kept under review and as a direct consequence of the court closure decisions there have been a total of four posts released from the permanent staff complement. The consequential staff saving has been assessed at £220,000 for the three year period up to the 31st Mar 2016:

Staff posts released from complement	Date of Closure	STAFF SAVINGS			Cumulative Savings (last 3 years)
		Savings Realised 2013-14	Savings Realised 2014-15	Savings Realised 2015-16	
Released 1 x HEO - Arbroath	May-14	0	33,528	40,234	73,762
Released 1 x HEO - Cupar	May-14	0	33,528	40,234	73,762
Released 1 x HEO - Haddington	Jan-15	0	6,706	40,234	46,939
Released 1 x SGB2 - Haddington	Jan-15	0	3,662	21,970	25,632
		0	77,423	142,671	220,095

Note:

1. Savings based on top of scale rate for grade (from Sep 2015), plus 30% for on costs

35.3. That recurrent saving will continue at a rate of £143,000 each year.

Reduced System Costs (Part-Time Sheriffs)

35.4. In 2013 the general principle was that as the SCTS would be handling the same volume of business, then the same volume of judicial resources should continue to be made available to manage business at the receiving courts. The subsequent consolidation of court business has improved efficiency through a) the ability to make more productive use of the travel time that was previously incurred by the judiciary getting to and from each closed site b) the ability to run more optimised programmes at each of the retained courts and c) having greater flexibility in the deployment of permanent judicial resources across the retained courts.

35.5. Those types of efficiencies have fed through into a reduction in the overall sitting days that the SCTS needs to secure from Part Time Sheriffs, but that area of spending is also influenced by a myriad of other factors including the need to support some of the more recent fluctuations in demand. That makes it very problematic to isolate those changes that can be directly linked to just the court closure decisions.

35.6. For the purposes of this paper we have reviewed the total sitting days in each of the 10 sheriff courts that were closed and assessed the days likely to be released based on the average days per month used at each of those closed courts.

35.7. That estimate is proportionate to the total sitting days that were being used and quantifies the saving in judicial expenditure at £262,000 for the three year period up to the 31st Mar 2016:

Court Closed	Count	Date of Closure	Total Sitting Days 2012/13	PT Sheriff Days p.a. Avoided	PT SHERIFF SAVING			Cumulative Savings (last 3 years)	
					Savings Realised 2013-14	Savings Realised 2014-15	Savings Realised 2015-16		
Sheriff Courts	Arbroath	1	May-14	424	36	0	19,350	23,220	42,570
	Cupar	1	May-14	253	24	0	12,900	15,480	28,380
	Dingwall	1	Jan-15	126	36	0	3,870	23,220	27,090
	Dornoch	1	Nov-13	47	12	2,580	7,740	7,740	18,060
	Duns	1	Jan-15	12	12	0	1,290	7,740	9,030
	Haddington	1	Jan-15	292	84	0	9,030	54,180	63,210
	Kirkcudbright	1	Nov-13	46	12	2,580	7,740	7,740	18,060
	Peebles	1	Jan-15	55	12	0	1,290	7,740	9,030
	Rothesay	1	Nov-13	62	12	2,580	7,740	7,740	18,060
	Stonehaven	1	May-14	167	24	0	12,900	15,480	28,380
		10		1,484	264	7,740	83,850	170,280	261,870

Sheriffs Salary (w.e.f. 1/4/2015)	132,184
Divisor	205
PT Sheriffs Day Rate	645

35.8. That recurrent saving will continue at a rate of £170,000 each year.

Improved User Experience (standard of facilities)

- 35.9. Outside of the SCTS staff and the main legal professions, the majority of court users will only need to access courthouses on rare occasions.
- 35.10. In comparison to the buildings that were closed, the 39 retained sheriff courts all provide larger specialist courthouses with a wider range of capabilities. Depending on the site visited, those members of the public who do become occasional court users will perceive those retained facilities as being largely “fit for purpose” in comparison to the venues previously used.
- 35.11. Their perception will be influenced by such things as:
- more effective separation of prosecution and defence witnesses;
 - the likelihood of accessing a wider range of support services on site; victim support, witness support and criminal justice social work;
 - improved disabled access compared to some of the closed buildings; some closed courts did not have lifts which made it impractical to gain access to all courtrooms;
 - The wider availability of secure circulation routes.

Targeted Capital Expenditure

- 35.12. The SCTS is one of the largest property holders within Scottish Government and the ability to invest in the owned property portfolio is always limited by the resources that are able to be made available through the annual capital budget allocation.
- 35.13. One of the principal benefits sought from the closure programme was the ability to focus that scarce and limited capital funding much more directly on productive changes to the retained courthouses:
- Aberdeen Civil Annex* - The development in 2014 of a stand-alone civil annex in Aberdeen is one example of what can be delivered when the SCTS has the ability to use limited capital expenditure funding more wisely.

Reducing Personal Appearances (for procedural business)

- 35.14. One key element of the vision is to increasingly use technology to help reduce the need for personal appearances for administrative business.
- 35.15. Over the last three years the SCTS has been progressively putting in place the facilities for “prison to court” videoconferencing at selected courts, and those links are being actively used for some full committal hearings and intermediate diets. Those arrangements are currently in place at eleven sheriff courts, and that coverage will be expanded over the coming years. In addition, the Court of Criminal Appeal now has the ability to conduct some solemn sentence appeal hearings by video conference (*where the appellant is held in prison*).
- 35.16. In parallel with that work the Scottish Legal Aid Board (SLAB) and the Scottish Prisons Service (SPS) have been taking forward the supporting “agents to prisons” video links to help support confidential interviews with those held in custody.

Video Links in the Closing Sheriff Court Districts

- 35.17. In June 2013 a specific commitment was given to the Justice Committee that access to remote video links would be made available within each of the closing sheriff court districts, in part to help support witnesses to avoid incurring excessive travel costs where they do have significantly longer to travel.

35.18. That particular commitment has been met in full and remote video sites have been made available for use in all ten districts where sheriff courts were closed:

Location of the Closing Court	Location Count	Date of Closure	Video Links Made Available	Landlord
Arbroath	1	May-14	Yes	Small SCTS owned site
Cupar	1	May-14	Yes	Agreement to use a Local Authority site
Dingwall	1	Jan-15	Yes	Site licenced from private sector
Dornoch	1	Nov-13	Yes	Site licenced from private sector
Duns	1	Jan-15	Yes	Agreement to use a Local Authority site
Haddington	1	Jan-15	Yes	Agreement to use a Local Authority site
Kirkcudbright	1	Nov-13	Yes	Agreement to use a Local Authority site
Peebles	1	Jan-15	Yes	Agreement to use a Local Authority site
Rothsay	1	Nov-13	Yes	Agreement to use a Local Authority site
Stonehaven	1	May-14	Yes	Site licenced from private sector
	<u>10</u>			

35.19. The current usage of those remote video sites is low but the Vulnerable Witnesses Act 2014, which came into force in September 2015, will continue to build additional demand for special measures (*to date the dominant requests from court users are for screens and supporters rather than the use of video links*).

36. What were the one off costs and savings for this change activity?

Savings (Backlog Maintenance)

36.1. At the point where each owned building is declared surplus the SCTS is no longer expected to provide for the outstanding maintenance costs on those buildings (*such provisions are only considered necessary if the SCTS wants to keep properties fit for purpose as operational courts*).

36.2. Accordingly the backlog maintenance figures that were being carried by the SCTS are adjusted downwards as soon as each building was declared surplus. At the time of writing that maintenance backlog avoided on the nine buildings declared surplus equates to a one off saving that is quantified at £2.8M:

Building	Declared Surplus	Backlog Maintenance £000
Arbroath	May-14	177,064
Cumbernauld	Nov-13	252,252
Cupar	May-14	469,854
Dingwall	Jan-15	325,710
Dornoch	Nov-13	185,724
Duns	Jan-15	152,460
Haddington	Jan-15	471,240
Kirkcudbright	Nov-13	419,958
Stonehaven	May-14	382,536
		<u>2,836,798</u>

Savings (capital receipts on disposal)

36.3. The planning assumption set out in 2013 is that it may reasonably take anything up to three years after each closure to market and sell, or otherwise dispose of, any surplus buildings. A total of nine owned buildings have been declared surplus by the SCTS following completion of the three tranches of court closures. To date three of those nine owned buildings have been disposed of.

Shaping Scotland's Court Services – an evaluation after the first three years

36.4. The progress made on each disposal is as follows:

<i>Owned Building</i>	<i>Declared Surplus</i>	<i>Progress on disposal (as at Mar 2016)</i>
Arbroath Sheriff & JP Court	May 2014	Community interest logged. If a satisfactory business case is not received during 2016 the SCTS would expect to revert to a sale on the open market
Cumbernauld JP Court	Nov 2013	The SCTS continues to liaise on a potential transfer to the local authority.
Cupar Sheriff & JP Court	May 2014	An agreement is pending on a property transfer to the local authority at nil value, but in exchange for rent free vulnerable witness accommodation.
Dingwall Sheriff & JP Court	Jan 2015	Being marketed jointly with the council who have an empty building next door. A community interest has been intimated but has yet to be confirmed.
Dornoch Sheriff & JP Court	Nov 2013	Sold on the open market for £100,000 in Feb 2015
Duns Sheriff & JP Court	Jan 2015	Local authority has rejected a formal property transfer at the moment, pending decisions on their own Asset Management Plan. Currently used in part as vulnerable witness accommodation.
Haddington Sheriff & JP Court	Jan 2015	An agreement was made on 18 Dec 2015 for a property transfer to the local authority at nil value, but in exchange for rent free vulnerable witness accommodation. <i>(value is assessed at £55,900 over a ten year period)</i>
Kirkcudbright Sheriff & JP Court	Nov 2013	Sold on the open market for £54,000 in Feb 2016
Stonehaven Sheriff & JP Court	May 2014	Community interest logged. A business case has been received and the community group are to clarify certain issues under the Community Empowerment (Scotland) Act 2015

36.5. At the end of the first three years a cash releasing benefit of £154,000 has been realised from the formal sale of the two surplus buildings at Dornoch and Kirkcudbright. The public sector accounting rules allow that sum to be added onto the annual capital funding made available to the SCTS and it has been reinvested in the retained SCTS estate.

36.6. A further benefit has been quantified at £55,900 following the formal transfer of Haddington to the local authority. That amount recognises the net present value over ten years of the arrangement that has been formalised for long term rent free access to a remote vulnerable witness site at Haddington *(in lieu of sale proceeds from the transfer of the court)*.

Shaping Scotland's Court Services – an evaluation after the first three years

Restructuring Costs (exiting the closed courts)

36.7. The estimated costs of taking operational courts out of each of the closed court locations is estimated as:

Cost Category	£
Removal of Records – Local removal contractors (Guardian, AMK) were procured to box and retrieve any court records at closing courts. Those records were then unboxed and archived at the receiving court (or at a designated alternate location) at a scheduled date agreed at the time of implementation.	£35,895
Removal of IT Equipment – This covers removal of data cabling within buildings, termination of data lines and recovery of all IT equipment for reuse (PC's, Monitors, printers etc.)	£7,000
Removal of Other Equipment – This covers various contractors involved in the removal of equipment: crest's, furniture, signage etc.	£18,638
Miscellaneous Charges – This covers additional changes such as relocation of mobile and static racking for re-use in other courts	£13,350
COSTS APPORTIONED FOR EXIT WORKS	£74,883

Restructuring Costs (upgrading the receiving courts)

36.8. The cost for the enabling works that were required at some of the receiving court locations, where they are directly attributable to the court closure decisions, can be summarised as follows:

Cost Category	£	Location
Site Acquisition – There was only one receiving court identified as having a potential space constraint with absorbing the staff being transferred in. SCTS purchased a small annex to the existing Forfar building (from the Local Authority) to allow rearrangement of staff accommodation and that cost is directly attributable to the closure decision. (Note: that purchase did also facilitate further general estates improvements: adding a second courtroom and increased custody capacity)	£150,240	Forfar Sheriff Ct
Alterations to General Offices – Four of the receiving courts required structural building alterations to accommodate the additional staff transferring into the “general office” within that building.	£45,000 £84,461 £54,396 £31,855	Edinburgh Sheriff Ct Forfar Sheriff Ct Hamilton JP Ct Tain Sheriff Ct
Workstations for Staff – Other receiving courts were subject to a space planning exercise to identify existing vacant workstations, or to procure and install new workstations for the staff being transferred in. Existing PC's and laptops accompanied the transferred staff where practicable.	£28,000	Various
Miscellaneous Charges – This charge covers relocation of existing SCTS furniture and equipment from storage and/or use at other retained court locations	£8,217	Inverness Sheriff Ct
TOTAL COST FOR ENABLING WORKS	£403,170	

Restructuring Costs (adding courtroom capacity)

36.9. The April 2013 paper included a provisional sum of £900,000 to cover adding two new courtrooms into the SCTS estate. That was intended to cover property solutions being found for vacating our split site operations and as at March 2016 it has not been used.

THE IMPACTS ON RECEIVING COURTS

Waiting Times (sheriff court workload)

36.10. In 2013 concerns were expressed at the potential for the business from the closing courts to potentially “swamp” the receiving courts, but that has not happened in practice. At the end of the 2015-16 financial year all of the eleven receiving courts continue to be able to work within expected waiting times for both criminal and civil business:

Criminal- The target for criminal waiting times in the Sheriff Courts is 16 weeks and all receiving courts are performing at or within that target:

WAITING TIMES - SUMMARY CRIMINAL (Sheriff Court business)			
Receiving Court	Count	Target (no of weeks)	Average for 2015-16 (no of weeks)
Aberdeen	1	16	15
Dumfries	1	16	15
Dundee	1	16	14
Edinburgh	1	16	16
Forfar	1	16	14
Greenock	1	16	15
Inverness	1	16	16
Jedburgh	1	16	10
Kilmarnock	1	16	14
Selkirk	1	16	10
Tain	1	16	10
	<u>11</u>		

Note:Kilmarnock was a receiving court for JP business only

Civil - The target for civil waiting times is to assign a proof within 12 weeks and all receiving courts continue to perform well within that target:

WAITING TIMES - CIVIL PROOFS			
Receiving Court	Count	Target (no of weeks)	Average for 2015-16 (no of weeks)
Aberdeen	1	12	11
Dumfries	1	12	6
Dundee	1	12	8
Edinburgh	1	12	9
Forfar	1	12	7
Greenock	1	12	9
Inverness	1	12	7
Jedburgh	1	12	10
Kilmarnock	1	12	10
Selkirk	1	12	10
Tain	1	12	11
	<u>11</u>		

Note:Kilmarnock was a receiving court for JP business only

Waiting Times (JP court workload)

36.11. At the end of the 2015-16 financial year the majority of the receiving courts have been able to work within expected times for the summary criminal workload marked to the justices of the peace.

Criminal - The target for criminal waiting times in the JP Courts is 16 weeks and all the receiving courts are performing within that target, or close to it:

WAITING TIMES - SUMMARY CRIMINAL (JP Court business)			
Receiving Court	Count	Target (no of weeks)	Average for 2015-16 (no of weeks)
Aberdeen	1	16	16
Dumfries	1	16	16
Dundee	1	16	10
Edinburgh	1	16	5
Forfar	1	16	16
Greenock	1	16	12
Inverness	1	16	17
Jedburgh	1	16	12
Kilmarnock	1	16	14
Selkirk	1	16	14
Tain	1	16	15
	<hr/>		
	11		
Coatbridge JP Court	1	16	16
Hamilton JP Court	1	16	16
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	2		
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	13		
	<hr/>		

Customer Surveys

36.12. The SCTS runs a biannual customer survey and the latest one was undertaken in 2015 shortly after the last tranche of court closures had been implemented. Comments attributable to the court closure programme were as follows:

*“Go back to the way it was without the government closures”
(Legal professional – Selkirk)*

*“Only one court for Angus. People finding it difficult and expensive to travel”
(Court visitor – Forfar)*

*“Should never have closed smaller courts. We will never forgive them”
(Legal professional – Dundee)*

*“Reopen Arbroath and better communication between courts and public”
(Supporter for accused person)*

36.13. The total numbers of such comments is low and most communities appear to have accepted the reasoning behind the changes made. The SCTS will continue to use all of our customer feedback mechanisms to monitor the ongoing views of court users.

Availability of JPs

36.14. There were a total of 82 JPs in post who were providing support to those courts that were closing. Whilst some of the JPs were unhappy about the closure decisions taken, by far the majority did transfer over to support the receiving courts. There

were a total of six JPs who did indicate that they were resigning as a direct result of the closures.

- 36.15. There have been subsequent recruitment campaigns run in various locations, and the ability to recruit replacement JPs is not considered to have been adversely impacted by the court closures.

Availability of Staff

- 36.16. There were 42 members of SCTS staff based in those closing courts that were permanently manned, five of the closing courts were unmanned.
- 36.17. The majority did transfer to their designated receiving court and:
- The SCTS was able to grant requests from seven staff who wanted for personal or practical reasons to transfer to a court other than their logical receiving court;
 - There were five applications received and granted from those who did not want to transfer at all and preferred to take up a voluntary exit option; and
 - There were two resignations received from those who chose not to take on their revised job design at the receiving court.
- 36.18. Post implementation, the transferring staff have integrated well in their new court locations and there has been a positive overall impact due to the wider breadth of knowledge that has been brought to those receiving courts.

Availability of Witnesses and Others

- 36.19. The SCTS, and several respondents to the public consultation, had flagged some of the potential issues that might impact on the participation of witnesses e.g. the poor availability of public transport in some locations, the inconvenience and cost for those who would incur increased travel times to get to court and the potential for intimidation when sharing public transport.
- 36.20. There have been some complaints received from individual court users about increased travel times and travel costs, and also some positive comments in those areas where costs and times have actually reduced for some participants. In practice the courts will make due allowance for late arrivals where practicable. There have been very rare reports from the police of potential intimidation of witnesses and/or the accused whilst travelling.
- 36.21. These issues are kept under review but there is no evidence of cases failing to proceed through non-participation of witnesses.

LESSONS LEARNED

37. Incorporating Prior Evidence

37.1. In terms of bringing forward lessons learned from others, the closure programme was informed by the work that SCTS staff had undertaken as part of the previous Summary Justice Reform (SJR) programme and in particular the Court Unification Project (*which transferred 65 district courts out of the 32 Local Authorities in Scotland, and led to the establishment of the Justice of the Peace Courts within the SCTS on a phased basis from 2008 through to 2010*).

37.2. The key learning points brought forward from 2010 were:

- *Gateway Review* – The SCTS had used the gateway review process to provide added project assurance during the SJR programme, and wanted to repeat that value adding process with the work on new court structures. On that basis the Court Structures project, as part of the MJW 1 Programme, was included in the two gateway reviews that were undertaken by the SCTS in August 2013 and November 2014.
- *Transitional Arrangement Groups* – As part of mobilising for the change the SCTS has continued its practice of establishing local working groups to provide a forum for key staff, judiciary and court users that are impacted by the change to come together regularly over the three to six months prior to the implementation date, and for a reasonable period thereafter. Their main aim is to provide a mechanism that supports open communication for all parties so that attendees can keep informed and focus on the practicalities of implementing the changes. The key benefit for participants (*police, fiscals, unions, judiciary, local staff, headquarters staff etc.*) who attend these forums is the ability to raise and rapidly resolve any issues that may arise.

38. Project Management of the Court Closures

38.1. One purpose of any Evaluation Report is to identify any new lessons learned that may be useful for other public sector bodies embarking on change projects of a similar scale. In that regard we would make the following observations:

- *Adding the Pre-Consultation Phase* – The emotive nature of court closure decisions was always going to elicit a strong level of feedback from local communities, politicians and the media. The SCTS could have opted to use just the standard 12 week public consultation process and attempted to handle the intensity of that feedback. Instead the SCTS Board took a decision which effectively added a further year into the project timetable for a “pre-consultation” phase. The benefit sought was the ability to fully test and refine the proposals being made with staff, judiciary and key justice stakeholders before even going out to the public. The value of that additional time spent is evident in the scope of the Public Consultation document issued in September 2012 and the ability to largely keep the subsequent community dialogue focussed objectively on matters of principle, rather than allowing that discussion to be subjectively influenced by single interest groups to the detriment of the overall debate.

Shaping Scotland's Court Services – an evaluation after the first three years

- *Building Transfers between Public Bodies* – When preparing the original “Shaping Scotland’s Courts” papers the expectation was that transfers of buildings back to local authorities would be negotiated around their Open Market Value (OMV). That accounting policy has subsequently been changed within the Scottish Public Finance Manual and now buildings can be transferred between public bodies at zero value, minimising the overall cost to the public purse.
- *Internal Audit Reports* – The Shaping Scotland’s Court proposals were taken forward by the SCTS under the auspices of the Court Structures Project (Making Justice Work 1.1) and was subject to scrutiny as part of the 2014 internal audit programme. The audit report gave a “substantial assurance” rating, while making constructive recommendations to support project planning and detailed tracking of project costs and the benefits, which have been incorporated into this evaluation.
- *Requirement for Affirmative Procedure* – For the 2013 closure orders the parliamentary procedure required the use of ‘negative procedure’ where the provisions can be annulled by the Parliament. As a result of subsequent amendments any orders for court closure will now follow ‘affirmative procedure’ which requires the approval of the Parliament.

BIBLIOGRAPHY

	<i>Issued</i>	<i>Author</i>
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<i>Shaping Scotland's Court Services: An analysis of consultation responses</i>	Feb 2013	Griesbach & Associates
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Scottish Statutory Instrument 2013 No. 152 - <i>The Sheriff Court Districts Amendment Order 2013</i>	May 2013	www.legislation.gov.uk
Scottish Statutory Instrument 2013 No. 153 - <i>The Justice of the Peace Courts (Scotland) Amendment Order 2013</i>	May 2013	www.legislation.gov.uk
The Delivery of Justice Services in the Scottish Borders - <i>Report on the joint feasibility study</i>	Jun 2014	SCTS

GLOSSARY

<i>Reference</i>	<i>Description</i>
DRC	Depreciated Replacement Cost
ICT	Information & Communication Technology
JP	Justice of the Peace
MSP	Member of the Scottish Parliament
OMV	Open Market Value
SCJC	Scottish Civil Justice Council
SCS	Scottish Court Service (<i>the former name for the SCTS</i>)
SCTS	Scottish Courts and Tribunals Service
SG	Scottish Government
SJR	Summary Justice Reform
SLAB	Scottish Legal Aid Board
SPS	Scottish Prison Service
SSI	Scottish Statutory Instrument

APPENDIX 1 – SUMMARY OF REMAINING CHANGES

After the first three years, the key operational changes that remain to be taken forward to deliver the “Shaping Scotland’s Court Services” vision can be summarised as follows:

<i>Area of Change</i>	<i>Remaining items to be progressed</i>
THE HIGH COURT CIRCUIT	Nil
A SHERIFF CENTERED MODEL FOR SHERIFF AND JURY BUSINESS	<p>Consolidate the solemn workload onto the designated sheriff and jury centres by 2022 (<i>once a sufficient body of summary sheriffs is in place across each sheriffdom, and once the Bowen reforms have been implemented and the desired efficiencies in solemn procedure have been realised</i>)</p> <p>When practicable, prioritise the estates budget to improve the jury accommodation available at the designated sheriff and jury centres</p>
CLOSURE OF JP COURTS WHERE THERE IS NO SHERIFF COURTHOUSE	Disposal of 1 x surplus building (<i>Cumbernauld</i>)
DISETABLISHMENT OF JP COURTS AT PORTREE, STORNOWAY AND WICK	Nil
SHERIFF AND JP COURTS WITH A LOW VOLUME OF BUSINESS	Disposal of 1 x surplus building (<i>Duns</i>)
SHERIFF COURTS IN PROXIMITY TO ANOTHER	Disposal of 4 x surplus buildings (<i>Arbroath, Cupar, Dingwall, Stonehaven</i>)
OTHER	<p>Continue driving digital innovation to minimise the need for personal appearances for procedural business (<i>particularly through widening the use of video conferencing and internet technologies</i>)</p> <p>Continue to actively progress the move to a Justice Centre Model (<i>for Inverness, Fife and Lanarkshire</i>)</p> <p>When practicable, progress property solutions that would allow the SCTS to exit the 3 remaining split site operations (<i>Coatbridge, Hamilton, Kirkcaldy</i>)</p> <p>Monitor the ongoing availability and use of remote vulnerable witness sites (<i>with regard to impacts from the Vulnerable Witnesses (Scotland) Act 2014</i>)</p>

APPENDIX 2 – BUSINESS TRENDS - FOR THE SCTS

The total levels of court business being managed by the SCTS over the latest five year period can be summarised as follows:

Court of Session	2011-12	2012-13	2013-14	2014-15	2015-16
Ordinary civil actions registered	3,294	3,397	3,242	3,727	2,864
Civil petitions (<i>registered</i>)	1,364	1,378	1,316	1,394	1,461
Civil appeals / reclaiming motions	261	232	243	236	238
Proofs, jury trials & hearings (<i>which proceeded</i>)	153	119	119	114	168
Court of Session judge days	1,790	1,823	2,071	1,956	1,968
High Court	2011-12	2012-13	2013-14	2014-15	2015-16
Indictments registered	792	751	829	812	748
Trials (evidence led)	315	358	429	443	403
Solemn appeals (lodged)	810	716	763	727	673
Summary appeals (lodged)	1,274	1,213	1,022	1,119	866
High Court judge days	3,857	3,867	3,964	3,881	3,780
Sheriff Court	2011-12	2012-13	2013-14	2014-15	2015-16
<i>Criminal - Summary</i>					
Complaints Registered	74,080	67,704	76,555	71,350	72,242
Trials (Evidence Led)	6,846	7,041	7,866	8,912	9,425
<i>Criminal - Solemn</i>					
Indictments Registered	5,772	5,859	6,033	6,920	6,460
Trials (Evidence Led)	1,128	1,200	1,379	1,430	1,497
<i>Ordinary Civil</i>					
Cases Registered	26,021	24,467	24,026	23,628	23,212
Proofs and Debates (Which Proceeded)	1,147	1,141	1,146	990	971
<i>Summary Cause and Small Claims</i>					
Cases Registered	54,481	47,244	48,485	47,977	49,008
Proofs/Hearings (Evidence Led)	649	678	649	509	515
JP Court	2011-12	2012-13	2013-14	2014-15	2015-16
<i>Criminal - Summary</i>					
Complaints Registered	57,633	53,645	67,767	66,819	54,856
Trials (Evidence Led)	2,828	2,491	2,590	3,151	3,258

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS

There were eleven sheriff courts that received business from a closing court. We have included the following tables to allow readers to assess the general impact that business redistribution has had on the performance of those eleven courts.

1) Aberdeen Sheriff Court

Aberdeen Sheriff Court Business	2011/12	2012/13	2013/14	2014/15	2014/15 1/4/14 to 31/5/14	2014/15 Aberdeen & Stonehaven combined business	2015/16
Summary complaints registered for the year	4534	3713	4446	4828	719	4840	4964
Summary waiting periods (average number of weeks between pleading diet and trial diet)	21	22	22	23	22 [Av over 2 mths]	23 [Av over 10 mths]	15
Summary trials called (number of complaints)	2056	2023	1878	2178	372	2191	2787
Summary trials evidence led (number of complaints)	418	360	468	607	115	615	644
Summary adjournments – lack of court time (percentage of accused per year)	7%	8%	5%	4%	3%	4%	4%
Indictments registered	389	309	400	483	71	483	456
Solemn trials called	207	196	120	180	29	180	221
Solemn trials – evidence led	75	72	65	95	16	95	102
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	5%	7%	14%	7%	8%
Civil ordinary cases registered	1464	1274	1422	1620	261	1640	1556
Civil proofs waiting periods (weeks)	12	13	14	11	11 (Av over 2 mths)	11 (Av over 10 mths)	11

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

2) Dumfries Sheriff Court

Dumfries Sheriff Court Business	2011/12	2012/13	2013/14	2013/14 1/4/13 to 30/11/13	2013/14 Dumfries & Kirkcudbright combined business	2014/15	2015/16
Summary complaints registered for the year	1312	1238	1667	1095	1736	1587	1703
Summary waiting periods (average number of weeks between pleading diet and trial diet)	21	24	26	25 <i>[Av over 8 mths]</i>	27 <i>[Av over 4 months]</i>	21	15
Summary trials called (number of complaints)	361	431	488	259	528	697	779
Summary trials evidence led (number of complaints)	111	109	89	57	133	186	207
Summary adjournments – lack of court time (percentage of accused per year)	3%	1%	2%	2%	2%	4%	6%
Indictments registered	151	132	121	83	121	131	112
Solemn trials called (number of indictments)	91	74	66	50	66	52	73
Solemn trials – evidence led (number of indictments)	45	36	38	32	38	24	36
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	5%	4%	5%	0%	11%
Civil ordinary cases registered	533	408	490	309	552	504	546
Civil proofs waiting periods (weeks)	14	10	8	9 <i>(Av over 8 mths)</i>	7 <i>(Av over 4 mths)</i>	12	6

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

3) Dundee Sheriff Court

Dundee Sheriff Court Business [combined business from 1/6/14]	2011/12	2012/13	2013/14	2014/15	2014/15 1/4/14 to 31/5/14	2014/15 Dundee & Cupar combined business	2015/16
Summary complaints registered for the year	3241	2671	3182	3338	490	3355	3388
Summary waiting periods (average number of weeks between pleading diet and trial diet)	13	10	12	18	19 [Av over 2 mths]	17 [Av over 10 mths]	14
Summary trials called (number of complaints)	1698	1577	1250	1740	225	1769	2492
Summary trials evidence led (number of complaints)	439	408	335	422	45	433	515
Summary adjournments – lack of court time (percentage of accused per year)	5%	7%	5%	5%	0.4%	5%	5%
Indictments registered	223	230	241	347	42	353	320
Solemn trials called	193	165	192	242	31	243	229
Solemn trials – evidence led	78	66	78	93	13	94	95
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	5%	22%	10%	22%	21%
Civil ordinary cases registered	906	880	774	1095	143	1133	1013
Civil proofs waiting periods (weeks)	7	9	10	11	10 (Av over 2 mths)	11 (Av over 10 mths)	8

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

4) Edinburgh Sheriff Court

Edinburgh Sheriff Court Business	2011/12	2012/13	2013/14	2014/15	2014/15 1/4/14 to 31/1/15	2014/15 Edinburgh & Haddington combined business	2015/16
Summary complaints registered for the year	6817	7013	9065	8835	7373	9411	9089
Summary waiting periods (average number of weeks between pleading diet and trial diet)	16	18	23	22	24 [Av over 10 mths]	18 [Av over 2 mths]	16
Summary trials called (number of complaints)	4227	3740	4599	5731	4536	6086	7623
Summary trials evidence led (number of complaints)	538	400	505	633	506	701	848
Summary adjournments – lack of court time (percentage of accused per year)	4%	3%	4%	4%	4%	4%	6%
Indictments registered	641	850	851	900	757	918	968
Solemn trials called	398	567	628	705	573	713	739
Solemn trials – evidence led	108	134	207	142	110	147	135
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	15%	10%	13%	10%	9%
Civil ordinary cases registered	2612	2487	2554	2812	2147	3114	2884
Civil proofs waiting periods (weeks)	7	6	6	6	6 (Av over 10 mths)	6 (Av over 2 mths)	9

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

5) Forfar Sheriff Court

Forfar Sheriff Court Business [combined business from 1/6/14]	2011/12	2012/13	2013/14	2014/15	2014/15 1/4/14 to 31/5/14	2014/15 Forfar & Arbroath combined business	2015/16
Summary complaints registered for the year	404	339	409	1326	100	1360	1310
Summary waiting periods (average number of weeks between pleading diet and trial diet)	10	10	10	15	12 [Av over 2 mths]	15 [Av over 10 mths]	14
Summary trials called (number of complaints)	112	181	133	520	29	589	837
Summary trials evidence led (number of complaints)	30	33	40	90	6	106	128
Summary adjournments – lack of court time (percentage of accused per year)	2%	3%	3%	8%	0%	7%	11%
Indictments registered	16	20	17	78	12	79	85
Solemn trials called	5	5	9	45	0	49	58
Solemn trials – evidence led	3	3	6	13	0	15	23
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	0%	7%	0%	6%	19%
Civil ordinary cases registered	218	203	215	575	54	608	452
Civil proofs waiting periods (weeks)	9	8	7	5	6 (Av over 2 mths)	5 (Av over 10 mths)	7

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

6) Greenock Sheriff Court

Greenock Sheriff Court Business	2011/12	2012/13	2013/14	2013/14 1/4/13 to 30/11/13	2013/14 Greenock & Rothesay combined business	2014/15	2015/16
Summary complaints registered for the year	1449	1170	1209	795	1289	1221	1232
Summary waiting periods (average number of weeks between pleading diet and trial diet)	16	15	15	16 [Av over 8 mths]	13 [Av over 4mths]	13	15
Summary trials called (number of complaints)	863	729	717	438	761	826	868
Summary trials evidence led (number of complaints)	111	89	135	90	141	145	170
Summary adjournments – lack of court time (percentage of accused per year)	6%	1%	3%	4%	3%	4%	4%
Indictments registered	117	92	91	69	97	109	82
Solemn trials called	115	93	78	62	78	84	98
Solemn trials – evidence led	26	32	45	36	45	30	29
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	6%	6%	6 %	6 %	9%
Civil ordinary cases registered	387	391	369	244	390	356	336
Civil proofs waiting periods (weeks)	10	12	11	12 (Av over 8 mths)	9 (Av over 4 mths)	11	9

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

7) Inverness Sheriff Court

Inverness Sheriff Court Business	2011/12	2012/13	2013/14	2014/15	2014/15 1/4/14 to 31/1/15	2014/15 Inverness & Dingwall combined business	2015/16
Summary complaints registered for the year	2066	1850	1692	1667	1352	1892	2075
Summary waiting periods (average number of weeks between pleading diet and trial diet)	13	17	17	16	17 [Av over 10 mths]	15 [Av over 2 mths]	16
Summary trials called (number of complaints)	829	932	1114	989	760	1072	1318
Summary trials evidence led (number of complaints)	75	126	172	202	165	219	230
Summary adjournments – lack of court time (percentage of accused per year)	5%	5%	6%	5%	5%	5%	5%
Indictments registered	48	40	69	141	108	146	143
Solemn trials called	10	9	53	71	61	79	53
Solemn trials – evidence led	7	7	20	28	21	33	21
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	9%	1%	0%	1%	6%
Civil ordinary cases registered	536	513	457	544	374	645	673
Civil proofs waiting periods (weeks)	7	6	7	9	9 (Av over 10 mths)	9 (Av over 2 mths)	7

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

8) Jedburgh Sheriff Court

Jedburgh Sheriff Court Business	2011/12	2012/13	2013/14	2014/15	2014/15 1/4/14 to 31/1/15	2014/15 Jedburgh & Duns combined business	2015/16
Summary complaints registered for the year	334	322	355	350	287	424	425
Summary waiting periods (average number of weeks between pleading diet and trial diet)	12	14	16	17	18 [Av over 10 mths]	16 [Av over 2 mths]	10
Summary trials called (number of complaints)	204	172	208	230	169	296	319
Summary trials evidence led (number of complaints)	33	27	44	43	35	55	33
Summary adjournments – lack of court time (percentage of accused per year)	4%	5%	6%	10%	10%	9%	4%
Indictments registered	15	41	15	9	6	9	15
Solemn trials called	15	22	5	10	10	10	9
Solemn trials – evidence led	9	6	2	5	5	5	3
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	40%	0%	0%	0%	0%
Civil ordinary cases registered	217	180	176	217	168	262	223
Civil proofs waiting periods (weeks)	12	13	14	12	12 (Av over 10 mths)	12 (Av over 2 mths)	10

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

9) Kilmarnock Sheriff Court

(Note: Kilmarnock did not receive any sheriff court business, only a modest amount of additional business from the Irvine JP Court)

Kilmarnock JP Court Business	2011/12	2012/13	2013/14	2013/14 1/4/13 to 30/11/13	2013/14 Kilmarnock & Irvine combined business	2014/15	2015/16
Summary complaints registered for the year	1013	1342	1687	927	2552	2060	1328
Summary waiting periods (average number of weeks between pleading diet and trial diet)	15	21	19	20 <i>[Av over 8 mths]</i>	20 <i>[Av over 4 mths]</i>	17	14
Summary trials called (number of complaints)	273	158	367	168	545	666	602
Summary trials evidence led (number of complaints)	68	43	94	33	146	169	148
Summary adjournments – lack of court time (percentage of accused per year)	0%	0%	4%	2%	4%	3%	8%

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

10) Selkirk Sheriff Court

Selkirk Sheriff Court Business	2011/12	2012/13	2013/14	2014/15	2014/15 1/4/14 to 31/1/15	2014/15 Selkirk & Peebles combined business	2015/16
Summary complaints registered for the year	388	380	507	494	406	539	541
Summary waiting periods (average number of weeks between pleading diet and trial diet)	11	12	13	17	17 [Av over 10 mths]	16 [Av over 2 mths]	10
Summary trials called (number of complaints)	147	161	202	275	230	299	332
Summary trials evidence led (number of complaints)	31	37	46	48	37	55	48
Summary adjournments – lack of court time (percentage of accused per year)	4%	11%	4%	5%	6%	5%	5%
Indictments registered	24	38	27	19	17	19	9
Solemn trials called	10	18	24	12	11	12	7
Solemn trials – evidence led	5	8	11	7	6	7	3
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	4%	17%	18%	17%	0%
Civil ordinary cases registered	182	153	170	167	114	218	259
Civil proofs waiting periods (weeks)	9	10	11	10	13 (Av over 10 mths)	11 (Av over 2 mths)	10

APPENDIX 3 – BUSINESS TRENDS – RECEIVING SHERIFF COURTS (continued)

11) Tain Sheriff Court

Tain Sheriff Court Business	2011/12	2012/13	2013/14	2013/14 1/4/13 to 30/11/13	2013/14 Tain & Dornoch combined business	2014/15	2015/16
Summary complaints registered for the year	172	180	414	275	464	318	303
Summary waiting periods (average number of weeks between pleading diet and trial diet)	11	17	15	15 [Av over 8 mths]	16 [Av over 4 mths]	11	10
Summary trials called (number of complaints)	172	180	205	156	230	170	151
Summary trials evidence led (number of complaints)	27	28	45	36	52	23	25
Summary adjournments – lack of court time (percentage of accused per year)	8%	19%	6%	10%	7%	1%	1%
Indictments registered	11	17	5	5	5	4	7
Solemn trials called	5	4	5	5	5	0	0
Solemn trials – evidence led	5	1	1	1	1	0	0
Solemn adjournments – lack of court time (percentage of cases per year)	0%	0%	0%	0%	0%	0%	0%
Civil ordinary cases registered	97	79	99	56	121	109	126
Civil proofs waiting periods (weeks)	9	12	12	11 (Av over 8 mths)	13 (Av over 4 mths)	11	11

APPENDIX 4 – BUSINESS TRENDS – RECEIVING JP COURTS

There were two JP courts that received business from a closing court. We have included the following tables to allow readers to assess the general impact that business redistribution has had on the performance of those two courts.

1) Coatbridge JP Court:

Coatbridge JP Court Business	2011/12	2012/13	2013/14	2013/14 1/4/13 to 30/11/13	2013/14 Coatbridge & Cumbernauld combined business	2014/15	2015/16
Summary complaints registered for the year	931	1138	1538	917	1883	2085	1090
Summary waiting periods (average number of weeks between pleading diet and trial diet)	18	13	18	17 [Av over 8 mths]	20 [Av over 4 mths]	19	16
Summary trials called (number of complaints)	583	456	561	322	728	871	1034
Summary trials evidence led (number of complaints)	68	54	101	66	127	135	171
*Summary adjournments – lack of court time (percentage of accused per year)	0%	0%	4%	5%	5%	6%	4%

*Note that the percentage rate is based on the number of accused called for trial.

2) Hamilton JP Court:

Hamilton JP Court Business	2011/12	2012/13	2013/14	2013/14 1/4/13 to 30/11/13	2013/14 Hamilton & Motherwell combined business	2014/15	2015/16
Summary complaints registered for the year	1170	1268	2302	935	4060	3474	2395
Summary waiting periods (average number of weeks between pleading diet and trial diet)	15	17	28	26 [Av over 8 mths]	34 [Av over 4 mths]	27	16
Summary trials called (number of complaints)	513	395	549	211	911	1501	1996
Summary trials evidence led (number of complaints)	108	86	119	39	191	281	316
*Summary adjournments – lack of court time (percentage of accused per year)	0%	0%	4%	7%	3%	4%	5%

*Note that the percentage rate is based on the number of accused called for trial.

APPENDIX 5 – THE CLOSING COURTS

The Sheriff Courts that have been closed from 2013 onwards:

<i>Designated place where court held</i>	<i>Count</i>	<i>Type of Court</i>	<i>Date Closed</i>
Arbroath	1	Sheriff and Justice of the Peace Court	31 May 2014
Cupar	1	Sheriff and Justice of the Peace Court	31 May 2014
Dingwall	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Dornoch	1	Sheriff and Justice of the Peace Court	30 Nov 2013
Duns	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Haddington	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Kirkcudbright	1	Sheriff and Justice of the Peace Court	30 Nov 2013
Peebles	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Rothsay	1	Sheriff Court	30 Nov 2013
Stonehaven	1	Sheriff and Justice of the Peace Court	31 May 2014
	10		

The stand-alone JP Courts that have been closed from 2013 onwards:

<i>Designated place where court held</i>	<i>Count</i>	<i>Type of Court</i>	<i>Date Closed</i>
Annan	1	Justice of the Peace Court	30 Nov 2013
Cumbernauld	1	Justice of the Peace Court	30 Nov 2013
Irvine	1	Justice of the Peace Court	30 Nov 2013
Motherwell	1	Justice of the Peace Court	30 Nov 2013
	4		

The Sheriff Court based JP Courts that were disestablished in 2013:

<i>Designated place where court held</i>	<i>Count</i>	<i>Type of Court</i>	<i>Date Disestablished</i>
Portree	1	Justice of the Peace Court	30 Nov 2013
Stornoway	1	Justice of the Peace Court	30 Nov 2013
Wick	1	Justice of the Peace Court	30 Nov 2013
	3		

APPENDIX 6 – THE RECEIVING COURTS

The Sheriff Court locations that received business from a closing court are:

<i>Designated place where court held</i>	<i>Count</i>	<i>Type of Court</i>	<i>Date of Transfer</i>
Aberdeen	1	Sheriff and Justice of the Peace Court	31 May 2014
Dumfries	1	Sheriff and Justice of the Peace Court	30 Nov 2013
Dundee	1	Sheriff and Justice of the Peace Court	31 May 2014
Edinburgh	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Forfar	1	Sheriff and Justice of the Peace Court	31 May 2014
Greenock	1	Sheriff and Justice of the Peace Court	30 Nov 2013
Inverness	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Jedburgh	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Kilmarnock	1	Sheriff and Justice of the Peace Court	30 Nov 2013
Selkirk	1	Sheriff and Justice of the Peace Court	31 Jan 2015
Tain	1	Sheriff and Justice of the Peace Court	30 Nov 2013
	11		

The stand –alone JP Courts that received business from a closing court are:

<i>Designated place where court held</i>	<i>Count</i>	<i>Type of Court</i>	<i>Date of Transfer</i>
Coatbridge	1	Justice of the Peace Court	30 Nov 2013
Hamilton	1	Justice of the Peace Court	30 Nov 2013
	2		

ERRATA

This online document was first published by the SCTS on the 13th July 2016.

This amended version was published on the 22nd July 2016 to correct some minor errors identified in the Financial Impacts section:

a) The summary of financial impacts now shows cumulative savings over three years of £2,072k (up from £2,053k):

Paragraph 33.3 (Annual Running Costs)

The supporting table has been amended on two lines:

- The accommodation line now shows cumulative savings of £902k (down from £908k)
- The staff efficiencies line now shows cumulative savings of £220k (up from £194k)

b) The extracts from the financial summary, for accommodation costs and staff costs, have been updated as follows:

Paragraph 34.1 (Running Costs Avoided – from the exit of owned buildings)

The column for “cumulative savings- last three years” now shows the right total.

A note has been added confirming that savings are calculated by month with savings 50% of baseline from month closed to month sold, and 100% thereafter (Lines adjusted for each court shown)

Paragraph 34.4 (Running Costs Avoided – from the surplus buildings still held)

The column for “cumulative savings- last three years” now shows the right total.

A note has been added confirming savings are being calculated by month with savings 50% of baseline from month closed (Lines adjusted for some of the courts shown)

Paragraph 35.3 (Reduced System Costs – supervisory staff)

The columns for each year now show the right total (i.e. includes 1 x SGB2 post)