

# Report

10

Report to:	<b>Corporate Resources Committee</b>
Date of Meeting:	<b>4 March 2009</b>
Report by:	<b>Executive Director (Corporate Resources)</b>

Subject:	<b>Summary Justice Reform - Courts Unification</b>
----------	--

## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ request approval of the response submitted to the consultation document issued by the Scottish Court Service in respect of the Sheriffdom of South Strathclyde, Dumfries and Galloway.

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the response to the consultation document issued by the Scottish Court Service in respect of the Sheriffdom of South Strathclyde, Dumfries and Galloway be approved.

## 3. Background

- 3.1. The Summary Justice Reform programme includes the unification of the administration of the Sheriff and Justice of the Peace Courts under the control of the Scottish Court Service. As a result, the East Kilbride District Court, which lies within the Sheriffdom of South Strathclyde, Dumfries and Galloway, will transfer to the Scottish Court Service in June 2009. Justices, as members are aware, transferred to the Scottish Court Service in December 2007 although the local authority is still responsible for some training.
- 3.2. The District Court currently sits 5 days per month although this will reduce to sitting every Tuesday from March 2009.

## 4. Consultation

- 4.1. After carrying out various scoping exercises, the Scottish Court Service prepared a consultative document which proposes to cease operation of the current District Court in East Kilbride from June 2009 and transfer all of its business to a new Justice of the Peace Court in Hamilton.
- 4.2. Responses to the consultation document were invited by 2 March 2009.

## 5. Response to Consultation

- 5.1. The East Kilbride Court provides a local justice service with Justices who have an understanding of the local area and the issues which it faces. The transfer to Hamilton Court will result in the loss of that local knowledge. In light of this, the Council's response to the Scottish Court Service rejected the proposal to transfer the

East Kilbride court business to the new Justice of the Peace Court in Hamilton and supported the retention of a Justice of the Peace Court in East Kilbride.

- 5.2 In view of the fact that the specified deadline for submission of responses to the consultation was 2 March 2009, the Executive Director (Corporate Resources), in consultation with the Chair, submitted the response, as detailed in the appendix to this report, subject to approval by this Committee.

## **6. Employee Implications**

- 6.1. No administrative staff will transfer. Legal Advisers, who are currently based in Hamilton, will transfer in June 2009 as a result of the unification of the courts in the Sheriffdom of South Strathclyde, Dumfries and Galloway.

## **7. Financial Implications**

- 7.1. All income currently brought in from the East Kilbride District Court will transfer to the Scottish Court Service. The grant aided budget will also require to be adjusted.

## **8. Other Implications**

- 8.1. None.

## **9. Equality Impact Assessment and Consultation Arrangements**

- 9.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.
- 9.2. All appropriate consultation has taken place.

**Robert McIlwain**

**Executive Director (Corporate Resources)**

11 February 2009

## **Link(s) to Council Objectives**

- ♦ Improve Community Safety

## **Previous References**

None

## **List of Background Papers**

Summary Justice Reform – Delivering a Unified Courts Administration, Sheriffdom of Glasgow and Strathkelvin – a consultative document dated May 2008

## **Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Teresa Stone, District Court, Licensing and Registration Manager

Ext: 4806 (Tel: 01698 454806)

E-mail: [teresa.stone@southlanarkshire.gov.uk](mailto:teresa.stone@southlanarkshire.gov.uk)