

Item No.	Classification: Open	Date: 27 March 2018	Meeting Name: Leader of the Council
Report title:		Response to HM Courts & Tribunals Service consultation on proposal on the future of Wandsworth County Court and Blackfriars Crown Court	
Ward(s) or groups affected:		All	
From:		Head of Chief Executive's Office	

RECOMMENDATION

1. That the response to HM Courts & Tribunals Service (HMCTS) consultation on the proposed closure of Wandsworth County Court and Blackfriars Crown Court set out in Appendix 1 is agreed.

BACKGROUND INFORMATION

2. According to HMCTS, the courts and tribunals service are being reformed to meet the needs of modern day users and continue to ensure access to justice. It is argued that Digital technology, online services, flexible hearing centres, and new business models will mean that fewer people will need to attend court for hearings and so fewer buildings will be needed.
3. In February 2016, the Government announced the outcome of a consultation on the provision of court and tribunal estate in England and Wales. The consultation put forward proposals to close those courts and tribunals that are underused, or that are simply unsuitable for the services which need to be provided. The decision was made to close 86 courts and tribunals over a period of two years, which, together with integrations (merging courts in close proximity) will lead to the closure of 120 court and tribunal buildings.
4. Blackfriars is the smallest of the three courts in the London Borough of Southwark (nine courtrooms compared with ten in Inner London and 15 in Southwark). Its location means that the site has a high-value, and the building could not easily be enlarged without demolition of the entire site. HMCTS argues that the building therefore provides less long-term flexibility than other sites. Currently, Blackfriars Crown Court predominantly hears cases which are sent from the London Boroughs of Islington and Camden (along with national work from British Transport Police and serious organised crime work). Relocating these workloads to Crown Court venues in North London, as set out in the proposals, would be expected to have a limited impact on travel times.
5. As a consequence of the above, HMCTS are consulting on proposals on the future of Blackfriars Crown Court as well as Wandsworth County Court.

KEY ISSUES FOR CONSIDERATION

6. The consultation states that Blackfriars is one of three Crown Court venues in the London Borough of Southwark within one mile of one another (the other two being Southwark Crown Court and Inner London Crown Court). Given that available capacity exists elsewhere in the Crown Court estate in London, there is potential to consolidate estate in this borough to reduce running costs and improve efficiency, while ensuring that access to justice is retained.
7. In considering the proposals to close Blackfriars Crown Court, the council felt there was some concern on the inevitable reduction in the capacity of the court system and the timing of hearings – justice delayed is justice denied. Although at present it is impossible to evidence or quantify, there was also concern that cases displaced from Blackfriars may impact on the other courts used by Southwark officers and residents. The proposal to consolidate estate in the borough also raised some concern over the future use and development of the buildings particularly relating to affordable housing.
8. It is proposed that the workload of Wandsworth County Court is redistributed to other courts in London, which would maintain access to justice. This would be achieved by using spare capacity in other courts.
9. The council recognizes that the proposal to close Wandsworth County Court may actually be more economical and easier for officers in terms of their proposal for allocation of work the council's preference would be for the transfer of all small claims, fast and multi-track matters to Clerkenwell & Shoreditch. The proposed closure of Wandsworth County Court is therefore not likely to have a direct impact on Southwark cases in litigation. However there could be an indirect impact caused by the 'knock on' effect of relocating work to Clerkenwell & Shoreditch as proposed in option 1 of the consultation and account should be taken of the additional work that is already being taken on by Clerkenwell & Shoreditch arising from the closure of Lambeth County Court last year.

Consultation

10. A range of internal stakeholders have been consulted on the response to these proposed closures. These included: Public health, planning, licensing, local economy, culture and community safety.

Community impact statement

11. Not applicable

Financial Implications

12. There are no financial implications arising from this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

13. The Litigation team in Southwark legal services handles a variety of matters in a criminal and civil litigation process. The majority of the council's criminal litigation is conducted in magistrates courts and the comparatively small amount of

matters referred to the crown courts are usually heard at the Inner London Crown Court and occasionally Belmarsh and Southwark Crown Courts. As to the council's civil litigation (housing and general litigation) the majority of cases are heard at the county courts at Clerkenwell & Shoreditch and Central London.

14. Comments on the proposals from the legal department:

- Closure of Blackfriars Crown Court – it is proposed in the consultation document that most of the workload be relocated to Crown Court venues in North London (Wood Green, Harrow, Kingston) with some cases (those prosecuted by the British Transport Police) to the Inner London CC. As Blackfriars predominantly hears cases sent from the LB's of **Islington** and **Camden** and national work from British Transport Police and serious organised crime work, we consider the proposals are unlikely to have significant impact for Southwark criminal legal cases.
- Closure of Wandsworth County – It is proposed in the consultation document to relocate work to other courts – 2 options proposed; Option 1 (2 parts); Part A relocating all small claims, fast and multitrack workload and hearings to **Clerkenwell and Shoreditch CC**, Part B relocating civil **Housing possession** work between **Wimbledon Mags and Kingston County Court**; Option 2 relocate everything to **Kingston County Court**. Southwark council's civil cases are mostly heard in Clerkenwell & Shoreditch and Central London County Courts. Southwark's rent arrears possession cases are heard at Stratford and Clerkenwell Courts. The proposed closure of Wandsworth CC is therefore not likely to have a direct impact on Southwark cases in litigation. However there could be an indirect impact caused by the 'knock on' effect of relocating work to Clerkenwell & Shoreditch as proposed in option 1 and account should be taken of the additional work that is already being taken on by Clerkenwell & Shoreditch arising from the closure of Lambeth County Court last year.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Proposal on the future of Wandsworth County Court & Blackfriars Crown Court	Ministry of Justice	estatesconsultation@hmcts.gsi.gov.uk

APPENDICES

No.	Title
Appendix 1	Response to the Consultation on the closure of Blackfriars Crown Court and Wandsworth County Court

AUDIT TRAIL

Lead Officer	Stephen Gaskell, Head of Chief Executive's Office	
Report Author	Jackie Waithe, Strategy Officer	
Version	Final	
Dated	12 March 2018	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Director of Law and Democracy	Yes	Yes
Strategic Director of Finance and Governance	No	No
Cabinet Member	Yes	No
Date final report sent to Constitutional Team		3 April 2018