

REPORT

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| To: CORPORATE SERVICES COMMITTEE |            | Subject: SUMMARY JUSTICE REFORM – UNIFICATION OF COURTS WITHIN SOUTH STRATHCLYDE, DUMFRIES AND GALLOWAY |
| From: HEAD OF LEGAL SERVICES     |            |   |
| Date: 10 August 2009             | Ref: JM/MK |   |

1. **PURPOSE OF REPORT**

- 1.1. The purpose of this Report is to inform members of a delay in the timetable for unification of District Courts into Scottish Court Service and to propose a response to further consultation issued by Scottish Court Service.

2. **BACKGROUND**

- 2.1. At the meeting of this Committee held on 8 January 2009 members noted a report detailing proposals for creation of JP Courts to replace District Courts and for the unification of courts within the Sheriffdom of South Strathclyde, Dumfries and Galloway under the administration of Scottish Court Service (“SCS”).
- 2.2. The proposals in relation to North Lanarkshire courts noted by Committee at the previous meeting can be summarised as follows. A JP Court will continue to sit at Coatbridge in the medium term. In the longer term it is the intention to take the business to a JP Court to be based at Airdrie Sheriff Court. That is subject to extension of the Sheriff Court building in Airdrie. A JP Court will continue to sit at Cumbernauld. A JP Court will continue to sit at Motherwell.
- 2.3. Unification was proposed to take place in June 2009.

3. **REPORT**

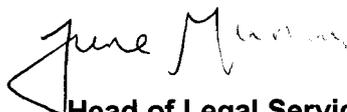
- 3.1. SCS have subsequently advised that there has been further debate within the Scottish Parliament in relation to proposals for court locations within other areas of the Sheriffdom as a result of which further secondary legislation will be required.
- 3.2. The indication from SCS is that the further legislative process will necessitate a delay in the unification timetable within the Sheriffdom until the end of January 2010.
- 3.3. SCS intend to take further recommendations to the Cabinet Secretary for Justice as to the future locations of JP Courts in the Sheriffdom and now seek, by 27 August 2009, any further views which the Council might have in this regard.
- 3.4. The issues specific to the District Court function within the North Lanarkshire area were fully considered at the meeting held on 8 January 2009. Nothing in operational or business terms has substantially changed since that meeting and it is accordingly proposed that the response to the further consultation be that the Council would not wish to demur from the previous proposals for JP Court locations summarised in paragraph 2.2 of this Report.

#### 4. **CORPORATE CONSIDERATIONS**

- 4.1. Council Services with an interest in or affected by the proposals for District Court unification have been advised of the delay in the unification timetable.
- 4.2. There has required to be some adjustment to budgetary projections to facilitate the provision of the service by the Council for a further period of time.

#### 5. **RECOMMENDATION**

- 5.1. The Committee is asked (1) to note the delay in the timetable for unification of District Courts and (2) to approve a response to the further consultation issued by Scottish Court Service affirming that the Council would not wish to demur from the previous proposals for JP Court locations within North Lanarkshire.

  
**Head of Legal Services**