

REPORT TO: East Lothian Council

MEETING DATE: 18 December 2012

BY: Chief Executive

SUBJECT: Courts Consultation

1 PURPOSE

- 1.1 To supply a draft for the Council's response to the Scottish Court Service consultation "Shaping Scotland's Court Services: A Public Consultation on Proposals for a Court Structure for the Future". The consultation proposes amongst other things the closure of the Sheriff Court and Justice of the Peace Court in Haddington.

2 RECOMMENDATIONS

- 2.1 That the Council approve the terms of the attached draft as the basis for the Council's response, subject to final editing in accordance with the Council's views, for submission by the Chief Executive.

3 BACKGROUND

- 3.1 The Scottish Court Service published their consultation paper in September 2012. The closing date is 21 December 2012, at noon.
- 3.2 The paper is about structuring the Scottish court system in a way that "best makes use of the public money that Government invests in the system", in the context of forthcoming changes to the justice system. Amongst the paper's many proposals for change, including several court closures across Scotland, are the closure of Haddington Sheriff Court and Justice of the Peace Court.

4 POLICY IMPLICATIONS

- 4.1 The Council has already stated its intention to “oppose any plans to close Haddington Sheriff Court” [[East Lothian Council Plan](#), p20]. The suggested response is in line with that policy intention.
- 4.2 Apart from the closure of the Haddington courts, the consultation paper’s proposals include the moving of some types of business to Edinburgh from courts other than Haddington, including sheriff and jury trials, “specialised” business and business from other courts which would then close.
- 4.3 The consultation paper does not say how the Court Service has analysed Edinburgh’s capacity to take on extra business, nor does it say how new technologies, such as videoconferencing, would be operated in areas such as East Lothian.
- 4.4 Our suggested response deals with the likely detrimental effect of the proposals on East Lothian people who have dealings with the court, their families and support networks, and directly on the Council which is a significant user of court services.
- 4.5 We suggest that insufficient thought has been given to the likely economic impact of closing the courts in Haddington.
- 4.6 We also propose that the Court Service should think more creatively around court boundaries to make Haddington available to other communities with good transport links.

5 EQUALITIES IMPACT ASSESSMENT

- 5.1 The proposals to close Haddington Sheriff Court and Justice of the Peace Court would likely have detrimental implications for the wellbeing of East Lothian people who use the courts, particularly children and vulnerable adults. This is covered in some detail in the suggested response.

6 RESOURCE IMPLICATIONS

- 6.1 Financial – none as a result of the recommendations in this report. The Scottish Court Service proposals themselves have financial implications that are dealt with in the proposed response.
- 6.2 Personnel - none as a result of the recommendations in this report. The Scottish Court Service proposals themselves have resource implications that are dealt with in the proposed response.
- 6.3 Other – none as a result of the recommendations in this report.

7 BACKGROUND PAPERS

7.1 [Scottish Court Service consultation “Shaping Scotland’s Court Services: A Public Consultation on Proposals for a Court Structure for the Future”](#).

7.2 [East Lothian Council Plan](#)

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SHAPING SCOTLAND'S COURT SERVICES – CONSULTATION ISSUES FOR SHAPING ELC RESPONSE

[VERSION 4]

1. **Summary of consultation proposals affecting different types of court and trial**

Reducing number of venues in which High Court sits – ELC has no view as it would not change Edinburgh as a venue for High Court sittings, as now.

Proposals relating to other sheriffdoms – the Court Service could look more creatively at redrawing court boundaries as this affects Haddington in part.

Sheriff and jury trials – note that proposals to move these to Edinburgh would reduce business at Haddington Sheriff Court but increase pressure and reduce capacity at Edinburgh Sheriff Court. Haddington runs sheriff and jury trials at present and we understand has capacity to continue. To do so would retain some flexibility.

Specialization – note that proposal to concentrate specialisms at Edinburgh would affect capacity at Edinburgh Sheriff Court and presumably business elsewhere including Haddington.

Under-utilized courts [does not apply to Haddington]: note that proposal to close Peebles Sheriff Court would put additional pressure on Edinburgh Sheriff Court.

Proposal to close Haddington Sheriff Court – East Lothian Council opposes this proposal. This would close both the JP court and the Sheriff Court.

Being 18 miles away from the court to which its business would transfer, Haddington is at the outer edge of the 20 mile limit chosen (apparently arbitrarily) by the Scottish Court Service for this exercise. Combined with the high level of business currently being carried out by the court, this justifies reconsideration of the closure plans. **Haddington would be the busiest court to be selected for closure, at the furthest distance from the court to which its business is being transferred.** The Council believes this would be a harmful step for our communities, for reasons set out below.

2. **Justice being done and being seen to be done** within the local community and sensitive to local issues

- 2.1. **Under the Local Government in Scotland Act 2003, the Council has the power to advance community wellbeing. The Council contends there is value in having a local court sensitive to local issues and local history, where a sheriff, prosecutors, defence and other solicitors have some knowledge of local circumstances, local conditions, local families and local concerns.** This is relevant not just to criminal cases but to the civil work undertaken at Haddington around child welfare through Child Protection Orders and Adoption/ Permanence work. The Council takes very seriously its duties as corporate parent.
- 2.2. **Removing the JP court would take cases out of the local area.** Travelling to Edinburgh is likely to be inconvenient for many East Lothian JPs and the Council would anticipate recruitment/ retention problems.
- 2.3. **Value for local community seeing reports of cases in their area.** Since local newspapers would be unable to report cases heard in Edinburgh to the same level as they do in East Lothian, (see also under paragraph 10.8 below), local communities would not have the same opportunity to see justice being done.
- 2.4. **Value of local disposals** The Council's delivery of a community justice service keeps relevant disposals local to our communities. We need sheriffs who understand the value of local disposals. Local disposals also have an economic effect: people who are doing community service locally use local transport and local shops.

3. **Benefit of good working relationships**

In the consultation paper, SCS says it would like to develop and replicate the model of "Livingston Civic Centre" (also known as West Lothian Civic Centre), where court services are co-located with a number of local service providers such as the Council. This is a model which we have enjoyed and benefitted from in Haddington for many years. We are pleased that SCS promotes it in principle, and equally we would urge SCS not to dismantle it in practice here in East Lothian. We have the Sheriff Court co-located with the Council Headquarters in Haddington, with the premises of both the Procurator Fiscal and the police close by. These are based within historic buildings in Haddington's townscape, and their proximity to each other means that a new-build (such as exists in Livingston) has not been required. With the new single police structure for Scotland, there are opportunities for closer strategic links between key police officers and the Council through further co-location: our Chief Executive has already begun dialogue to that effect with the new Chief Constable.

Good decisions partly stem from good working relationships between officers from all organisations. The Council has grave concerns that this

would be lost to a great extent if East Lothian offenders have to appear in an Edinburgh court (presumably with a duty social worker from the city).

Offenders, victims and witnesses at Haddington Sheriff Court are most likely to live in East Lothian therefore staff supporting them are likely to have good local knowledge and networks and can provide quick referrals to local support organisations.

Until recently the Criminal Justice Social Work team which services the court (write reports, does court duty etc) was based in Haddington. Although the team has moved to Musselburgh, it is able to maintain the relationship through contact with the Sheriff Clerk and Sheriff, and maintaining a presence in the court. Information received from colleagues within other council areas would appear to indicate that the volume of business which is conducted within Edinburgh does mean that there is not the same level of working relationship available that currently exists with Haddington Sheriff Court.

4. East Lothian's growing population

- 4.1. The population of Scotland is projected to rise by 10 per cent over the next 25 years. The population of 22 of the 32 Council areas in Scotland is projected to increase while the population in the other 10 are projected to decrease. **Significantly, the Council area with the greatest projected percentage increase in population, and one that is far in excess of the projected Scottish rate, is East Lothian, which is projected to grow by 33 per cent over 25 years.** For comparison, Inverclyde (-17 per cent) and Eilean Siar (-11 per cent) have the largest projected decreases.

Table: General Registrar for Scotland, 2010-based population projections for Scottish Areas (Feb 2012)

EAST LOTHIAN						
2010	2012	2015	2020	2025	2030	2035
97500	99858	103315	109263	115933	122949	129729

- 4.2. The number of children aged 0-15 is projected to increase in half of Scotland's Council areas, with the biggest percentage increase again projected for East Lothian (+41 per cent). The number of people of pensionable age is also projected to rise significantly, (+ 38 per cent).¹

¹ The table reached via the following link gives more information about population projections: <http://www.gro-scotland.gov.uk/files2/stats/population-projections/scottish-areas-2010-based/j21704304.htm%23tableb>

- 4.3. A significant part of the projected population increase will be driven by additional planned housing in the central/east parts of East Lothian: in North Berwick (500 houses), Dunbar (500 houses) and Haddington (750 houses) in addition to 1600 houses at Blindwells, 1000 at Wallyford and 450 in Musselburgh. While the Council recognises that travel on public transport from the west of the county to Edinburgh is easier and cheaper than travel to Haddington, much of the planned expansion of the county is in the eastern part, furthest from Edinburgh and nearer to Haddington.

5. Policing

- 5.1. Having to travel to Edinburgh for court cases would take East Lothian police officers away from their other duties for longer. This would mean less police visibility, and indeed less policing, within our communities. Local agencies work well together to keep East Lothian's crime rate as low as it is; we do not want to compromise that by losing valuable policing time in travel to and waiting at Edinburgh sheriff court. (At present police officers can wait on standby at the station and do paperwork/answer phones etc.)
- 5.2. Determining bail conditions requires a degree of local knowledge if they are to be effective.
- 5.3. Ongoing communication/consultation on statements/productions/further enquiry is easier for police officers when the Procurator Fiscal's office is local.

6. Children/ vulnerable adults

We believe that moving the court to Edinburgh would have a detrimental effect on children and vulnerable adults, and worsen the service that they receive.

6.1. Children

Adoption/ Permanence work: we understand that there are already significant delays with these cases in Edinburgh and that the court there is already not meeting the timescales required. Time is critical in these factors as the window for re-attachment for these children is very narrow. The court process can already be long and slow; these children need decisions made speedily.

Child Protection Orders: these are usually done in an emergency and having the court locally helps these crucial decisions be made speedily. There is often also a good local knowledge around the children/ young people and their families which helps within these situations when heard within Haddington Sheriff Court. Transferring to Edinburgh would significantly impact on the timescales around these decisions and would result in staff having to travel to court with

the added delays associated with that (travel/ parking/ appointments etc). At the moment social workers are assisted by colleagues in our legal services team in court. The worry is that solicitors in that team would not be available to do this at short notice and social workers would have to deal with the potential for procedural problems, meaning possible delays in what is almost always an urgent situation. Having quick access to the court for Child Protection matters is very important. The Court at Haddington at the moment manages to deal with permanence and adoption cases within the timescales set down by the Sheriff Principal. These time limits were set because there is ample evidence to demonstrate that the longer a child remains within the care system then the poorer the outcomes for that child. We understand there is considerable drift in the timescales at Edinburgh: we anticipate that can only get worse with an increased workload. This would be directly detrimental to the children in the care system.

[information due from SCS on number and progress of cases referred to above]

Children's Panel: Children's Reporters were relatively recently transferred into Edinburgh and now all work from there. It may well be that they would find it beneficial to not have to travel to Haddington Sheriff Court. However in proof hearings the proposals would require children/ young people and their families and council staff having to travel into Edinburgh, with associated delays/ concerns/ lack of continuity of Sheriff etc.

General Haddington Sheriff Court does significant work with our most concerning children/ young people and their families and is often able to maintain a link throughout a case. Transferring to Edinburgh would likely mean that cases would be allocated on an 'as available' basis which would mean that this local link and knowledge would be lost.

6.2. **Adult Protection**

ELC's adult protection officer makes application to the court for Protection Orders for Adults at Risk of Harm. There have been ten applications over the past 2 years. All require staff time.

If an Adult at Risk of Harm is required to give evidence then the team invoke the Vulnerable Witnesses Act. This business has already been moved to Edinburgh as it involves giving evidence behind a screen, and as we understand it there are no such screens in Haddington sheriff court. (This may also be appropriate for child witnesses.) As well as the screen the adult may be supported by a member of staff and an appropriate adult – again depending on circumstances. This would involve two staff members - depending on the case this could tie workers up for very short periods of time or days on end.

For Adults at Risk living in East Lothian, the benefit of attending Haddington is that it is local and less daunting than attending Edinburgh Sheriff court. Attending court can be very intimidating with the added difficulties of not knowing the surrounding areas. Edinburgh Sheriff court is very large and busy in comparison to Haddington and could add to the distress of the adult attending court if required and therefore affect the quality of evidence. Also public transport can be expensive.

We currently also have the facility to apply for warrants etc locally and some of these may be urgent. How accessible is court time in Edinburgh? We would need travel time there and back should we have an urgent or immediate situation that doesn't necessarily involve the police. This could further compound an already complex situation.

There are also numerous applications for Guardianship each year for Adults with Incapacity that go through the court, with similar issues in terms of staff time and cost travelling to Edinburgh.

According to the Mental Welfare Commission, East Lothian Council had the second highest rate of increase of Applications for Guardianship in Scotland last year. That will only increase further as our elderly population grows as detailed in our economic development strategy. This is a particularly vulnerable group of court users who would find travelling to Edinburgh particularly difficult if they wanted to oppose an application; this also affects their families and council staff.

7. ASBOs and evictions

Moving this business to Edinburgh would occasion extra travelling time for council officers, police, witnesses and the people affected. Currently we perceive some value in a sheriff being able to see the consistency with which our policies are applied locally. We anticipate that this would be lost in a bigger court.

8. Travelling time and expense [although the paper makes the point that, from some parts of East Lothian, bus travel would be cheaper to Edinburgh than to Haddington].

8.1. Times given in the consultation paper for public transport journeys are only to central Edinburgh; around another 15 minutes would be needed to actually reach the sheriff court building. (Buses to Haddington stop directly opposite Haddington Sheriff Court.) Bus transport from east of Tranent is not terribly frequent: one bus being late could be critical. The lack of frequency of buses also means that it is more likely that different factions could find themselves on the same bus for a long journey with little alternative.

- 8.2. We have recently seen operators choosing to shrink the public bus network in East Lothian, especially in the eastern part of the county, and in our view there remains a risk of further contraction.
- 8.3. There is no time allowed in the consultation paper's figures to take account of potential travel disruption arising from road works and general traffic conditions. Travel from the east end of the county to Edinburgh, particularly by public transport, can mean around two hours from door to court, and costs are steep. Even travelling by car from Haddington can easily take up to an hour when factoring parking into the equation.
- 8.4. There are few long term car parks in and around Chambers Street. The consultation document does not mention car parking charges on top of the mileage into Edinburgh: the nearest car park to Edinburgh Sheriff Court charges £4.90 for up to 2 hours; £7.90 for 2 to 4 hours.
- 8.5. Although the great majority of East Lothian residents can access central Edinburgh there are many smaller communities where the residents can only access central Edinburgh by using two buses. This could create time and financial difficulties for such residents.
- 8.6. Witnesses have their expenses paid for them. The majority of accused do not appear from custody and must pay their own travelling expenses.
- 8.7. We understand that it is unlikely that local solicitors' travelling expenses to Edinburgh would be met through Legal Aid; this may lead solicitors not to take local criminal cases. If the accused cannot afford to travel to Edinburgh to see a solicitor there, then there is a danger that access to justice will have been denied.
- 8.8. Families and friends of victims, witnesses and accused do not have their expenses reimbursed. Fares east of Tranent are likely to be prohibitive for people on low incomes, particularly from Dunbar (unless eligible for concessionary bus travel scheme). This has the potential for reducing family support at a time when presumably it is very valuable.
- 8.9. There are occasional problems at present when people from other areas are arrested and brought to Haddington, from where they are released with no means to return home. We can foresee this problem being greatly magnified (and transferred to Edinburgh) if Haddington Sheriff Court closes.
- 8.10. If these proposals were carried through, there would be no facilities in Haddington for the payment of small fines, and people would presumably not be able to pay in instalments the way they currently do.

9. Caseloads

- 9.1. It is difficult on the face of it to understand how Edinburgh can accommodate the Haddington caseloads, and all the other caseloads which would result from implementation of the proposals, without causing substantial delays. On the Council's behalf, officers sought and received information about the factors taken into account by the Scottish Court Service when assessing Edinburgh Sheriff Court's capacity. The figures received do not appear to take into account delays in hearing cases. Our perception is that delays in the progress of cases in Edinburgh are occasioned more often by non-appearance of witnesses/ police/ social work etc, and that delays in Haddington are more often occasioned by a lack of an appropriate number of sheriffs to deal with the business (for which space is available). Presumably this does not show up in the figures which only deal with timetabled cases.
- 9.2. There is also a perception that the Fiscal in Haddington is more accessible, which arguably helps solicitors and their clients when considering how to plead, and may have contributed to the drop in the number of trials where evidence is led in Haddington (following the summary justice reforms of 2010-11), compared to the rise experienced in Edinburgh.
- 9.3. The figures also take no account of the "closed court" and chambers work done with a sheriff."
- 9.4. Elsewhere in this response we talk about delays for Adoption and Permanence orders for children. We also understand that commissary cases take longer at Edinburgh Sheriff Court than they do in Haddington. All executries needing confirmation require to go through the Sheriff Court. This is a significant part of the court business but is not considered at all in the consultation document. It is important to the community as a whole because there are understood to be considerable delays at Edinburgh; at Haddington they are processed in approximately 6 weeks. This releases cash into the economy for the beneficiaries, and for the Council it means that outstanding debt such as care home fees, council tax etc is rectified quickly and efficiently. That would not be the case if handled in Edinburgh. There might be hardship for families who have to wait for payment from estates.

10. **Economic effect** of closing the Sheriff Court and JP court.

- 10.1. It is disappointing that the consultation paper characterises the economic impact of these proposals as "localised, minimal and short term". East Lothian Council is extremely concerned about the potential impact on the economy of East Lothian more widely, and Haddington in particular. For East Lothian the economic losses are

not a zero-sum exercise, whatever they may be for Scotland as a whole.

- 10.2. The Court itself employs 11 people and those jobs would be lost to East Lothian. Additional jobs would be lost in local solicitors firms and also perhaps in other areas such as the local newspaper that regularly covers 2 pages with local court reports. Those reports would be lost to the community.
- 10.3. There would of course be a huge impact on the local firms of solicitors who currently undertake court work. We understand that the legal aid rates of pay for travel will be very low and will not be worthwhile economically. Clients who pay privately would have added costs to pay for the time their solicitor has to spend travelling to court. It is generally felt that local solicitors would inevitably close particularly in the current economic climate where court departments have had to support loss making conveyancing colleagues.
- 10.4. We would see the closure of the Procurator Fiscal's office as inevitable, and again those jobs would be lost to East Lothian.
- 10.5. The Federation of Small Businesses have told the Council that the court in central Haddington is a vital part of the town centre economy: the court's staff and visitors spend money in central Haddington and thus help sustain the town centre. The FSB's view as stated to the Council is that at a time when the Government has convened a Town Centre Regeneration study and are offering rates discounts to businesses that open in empty town centre retail space, closing a court responsible for significant town centre footfall is very unhelpful.
- 10.6. There were almost 2,000 cases (civil and criminal) at Haddington in 2011/2012. People coming to court – whether as accused, victims, witnesses, lawyers, family or friends attending in support of those appearing – use Haddington's shops, restaurants and cafes. Loss of this business would have a proportionately larger effect on Haddington town centre than gaining such business would on Edinburgh city centre. If just three people involved with each case spent £5 locally, this would have brought £30,000 in to the local economy.
- 10.7. Additionally, closure of the Court would result in vacant premises in a prominent location within the town centre, which would have a detrimental effect on the town centre environment within the town and on the visitor/ shopper experience.
- 10.8. The editor of one newspaper told us that court closure would have a severely detrimental effect on local newspapers, because they would not be able to cover cases routinely if they were moved to Edinburgh. This editor anticipates an impact from a business point of view as research shows that the court page is one of the best-read elements

of the paper. This editor feels certain that the loss of court copy would affect sales figures at a time when local newspapers are already facing an uncertain future.

11. **Direct effect on the Council** of closing Haddington Sheriff Court

As well as detrimental effects on the wellbeing of our local communities, the Council anticipates the following direct effects on its own establishment:

11.1. **Staff time**

The Council is a heavy user of court services at Haddington Sheriff Court – we have staff in court every day. Because the court is co-located with Council headquarters, and because of the good working relationships our council solicitors have with court staff, they can minimise the “down” time they spend at court before their case calls. One solicitor can currently cover relevant timetabled cases in Haddington over the course of a sitting day. In Edinburgh, by contrast, the potential for distributing cases across a number of courtrooms means that this would no longer be the case. For example, in Haddington the heritage court (which deals with evictions for non-payment of rent) sits on a Monday and all relevant cases can be covered on this day. In Edinburgh, the heritage court sits every day, which has the potential for requiring a solicitor for the Council for this court on different days of the week.

Some of our other officers who must come to court are not based in the Council’s Haddington HQ, but they are around 10-15 minutes’ drive away; they have the convenience of the Council HQ car park and an office base for their use if required.

The proposals would mean the addition of around 2 hours travelling time for every officer involved in a case, and further “down” time if prior cases take longer than originally timetabled. **The Council asserts that this is not sustainable.**

Rent Income Teams – although officers try to avoid taking tenants to court for rent arrears, we still take a significant number through the process. On occasion officers are cited to appear as witnesses at proof hearings. In the majority of cases, hearings are postponed or cancelled at the last minute and it would be costly and inconvenient for team members to travel to Edinburgh in these circumstances. Officers are concerned the proposed changes may increase the timescales from making an application for a court hearing date to the case actually being held at court.

Corporate Debt Team – work includes bankruptcies (creditor petitions - around 5 per annum), small claims for former tenants (around 10 per annum) and recovery of Council Tax (to facilitate the granting of inhibitions on the dependence – around 5 per annum).

Members of the team will also on occasion be required to appear as witnesses in proof hearings. The requirement for solicitors and witnesses representing the Council to travel to Edinburgh would be both costly and inconvenient.

Officers currently apply to Haddington Sheriff Court for Council Tax and Business Rates' summary warrants. We usually have around a dozen a year for Council Tax (values range between £200k and £1.8 million) and around eight or so a year for Business Rates. As we have a local court, and a good working relationship with Haddington Sheriff Clerk's office, we currently have very little delay between applying for the warrant to progressing recovery action and collection of the debt. Some of our Council Tax summary warrants can be worth upwards of £1.5 million. If we had to apply to Edinburgh Sheriff Court, there would be a potential for significant delay and a negative effect on income received by the Council. There are also the logistics of securely submitting our papers to Edinburgh and collecting and delivering back to Haddington once signed. All of this would incur heavy additional costs for the Council and thus for the people of East Lothian.

While it is certainly difficult to quantify the costs involved for the Council, they are likely to be in the order of hundreds of thousands of pounds annually. The following is a very basic estimate of new costs for East Lothian Council arising directly from the proposals.

[Table of costings to be provided]

These sums will be a call on the budgets of the relevant front-line services provided by the Council: for example children's services, social work, and the Housing Revenue Account.

11.2. **Effect of SCS vacating the premises**

Haddington Sheriff Court is co-located with the Council in a building on Court Street in Haddington. The Court's main entrance and the part of the building owned and occupied by the Scottish Court Service – essentially an upper portion - front directly onto Court Street. This building constitutes a significant and prominent feature of Haddington's townscape. The Council and the Court Service share some responsibilities and costs as to the fabric and maintenance of common areas. This being the case, the Council is concerned to see that SCS have estimated a backlog of maintenance of the order of £471,000 as part of its projected savings should Haddington Sheriff Court close. The Council finds it difficult to accept this figure and would wish to be made aware of what the backlog involves, especially as we will have responsibility for a proportion of the costs. It is essential that these estimated savings are revised and properly quantified in dialogue with the Council.

If the Court closes, deterioration of the fabric of the building due to the premises being unused/unheated for an extended period would likely represent an increased maintenance burden to the Council. There could also be security issues with the Court being empty.

The Council has been taking steps to reduce the size of its own estate in recent years, and so it cannot be assumed that the Council would be a willing buyer.

Difficulties in the property market and the relatively large size of the Court premises, together with the shared aspect with the Council, would make this building difficult to sell or lease. The Scottish Court Service must see this as a major concern for the Council and the town, in that the premises could be vacant for some considerable time. This also means that the Scottish Court Service would not realise the capital gains it anticipates.

Should the SCS sell or lease for an alternative use, the Council would be directly affected by sharing space with the new owner/tenant. The Council would have the right to object to change of use during the planning process.

The Council's "Adam Room", which hosts marriage and citizenship ceremonies, shares the entranceway with the Court. If the Court building were to be closed up or sold, the Council might have to consider relocating these ceremonies, with consequent costs.

12. **Anticipated improvements in technology** – e.g. video links – there is no indication of timescale for introducing that, nor of the practicalities involved. People having to go to court before these facilities are introduced, by definition, cannot benefit from them. How locally-accessible will such facilities be, bearing in mind the need for efficiency and the need to make them secure? Who will run them? We cannot see any assurance that they will compensate local people in any way for the loss of the court.

13. **Possibility of redrawing boundaries**

- 13.1. There is a proposal that the business from Duns Sherriff court is to go to Jedburgh; a previous proposal to close Selkirk Sheriff Court was dropped because Jedburgh could not absorb its work. There is the mention within the document that the redrafting of Sheriff Court boundaries may be an option. With the better transport system up the A1 corridor, there is a good argument to be made that the work from Duns should come to Haddington and that Haddington should remain open as a vibrant court with sufficient business. Then Selkirk, as a court that has much less business than Haddington, could close and its work go to Jedburgh.

14. Summary

- 14.1. In summary, Haddington is a busy court, of an appropriate scale and location for East Lothian. Closing it would significantly disadvantage the East Lothian community. Additionally, any savings for the Scottish Court Service would be translated into considerable costs for other parts of the public sector.