

Consultation on proposals to close Hearing Centres at Bangor, Larne, Limavady, Magherafelt and Strabane courthouses

serving the community through the administration of justice

Document Details

Date issued:	9 December 2011
Closing date:	2 March 2012
Document Authors:	Business Development Group

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1 Executive Summary

- 1.1 In September 2009, following a public consultation exercise, Bangor, Larne, Limavady, Magherafelt and Strabane courthouses became Hearing Centres. Hearing Centres are only open on court sitting days and on those days provide a full range of office services. On non-sitting days the buildings are closed and office services are available from other court venues.
- 1.2 This consultation paper seeks views on proposals for the permanent closure of the five Hearing Centres and for the transfer of court business from Hearing Centres to alternative venues.

Section 3 – Background and Drivers for Change

- 1.3 There are currently 23 courthouses in Northern Ireland. Court users may be required to attend a particular courthouse depending on the type of case they are involved in. They may not live in the Petty Sessions District in which they have to attend court or they may live closer to other courthouses than the one they are required to attend.
- 1.4 The original Hearing Centre proposals were predicated on the fact that it was not efficient to keep the courthouses open on non-court sitting days in order to service the small number of customers who wished to transact business in person, when access to these services is available through a range of other service delivery channels including telephone and internet.
- 1.5 At that time, NICTS stated that the Hearing Centres initiative was about making best use of scarce resources and it was not a precursor to the full closure. We also indicated that the court estate in Northern Ireland is kept under regular review but that any future proposals for courthouse closures would be subject to a separate public consultation exercise.
- 1.6 Circumstances have changed and the NICTS now operates within a challenging economic environment and must deliver efficiencies. The NICTS has developed a range of savings plans which will be used to deliver the required efficiencies. A reduction in the court estate is one part of a package of measures which includes the proposed closure of the five Hearing Centres.
- 1.7 This consultation paper seeks views on proposals for the permanent closure of the Hearing Centres and for the transfer of court sittings from Hearing Centres to alternative court venues.
- 1.8 It is estimated that closing the five Hearing Centres and transferring business to an alternative court venue could save over £400,000 per annum in operating costs. This largely relates to expenditure on security, utilities and minor maintenance.
- 1.9 The NICTS commissioned an evaluation of our court buildings which also demonstrated that each of the Hearing Centres requires significant future investment to meet the needs of court users and to comply with modern building standards. Initial costing exercises estimate that in excess of £3m capital expenditure would be

required in order to ensure that each of the five Hearing Centres is fit for purpose in future years. This capital expenditure is not within the NICTS budget and it is unlikely it could be secured. The closure of the five Hearing Centres would allow any available capital resource to be utilised on other court venues.

1.10 As these courthouses are part of the NICTS estate and owned by NICTS, then any income from their sale could be attributed to DOJ/NICTS. However, approval would be subject to a business case approved by both DOJ and DFP. In the first instance the Hearing Centres would be offered to other Departments and if not required would be put on the open market.

Section 4 – Proposals for transfer of Hearing Centre Business

1.11 Section 4 of this paper provides detail on the proposals for transferring Hearing Centre business to an alternative Courthouse. NICTS recognises the importance of access to justice and has sought to ensure that the transfers involve minimum disruption for court users. We have also sought, where possible, to minimise disruption to the court calendar by retaining sittings on the same weekday.

1.12 It is proposed that –

- Bangor court business would transfer to Newtownards Courthouse;
- Larne court business would transfer to Ballymena Courthouse;
- Strabane court business would transfer to Omagh Courthouse;
- Limavady court business would transfer to Coleraine Courthouse; and
- Magherafelt court business would transfer to Antrim Courthouse.

1.13 There would be a phased approach to these transfers with the closure of Limavady and Magherafelt only taking place following the implementation of wider court boundary reforms which we consulted on previously and which is available on the [NICTS website](#).

1.14 For each of the proposed transfers we have provided an analysis of how the business would be accommodated at the alternative venue; we have assessed the spare capacity that would remain following the transfer of business; and we have considered the potential implications for travel and availability of transport links.

Section 5 – Questions for Consultation

1.15 NICTS would welcome responses to a number of questions set out in section 5 –

Q.1 – What are your views on the closure of Hearing Centres as a way of making best use of available resources?

Q.2 – Are there any factors which you consider would preclude the closure of any of the Hearing Centres?

Q.3 – Do you consider that the proposed alternative venue for each Hearing Centre is the most appropriate for court users?

Q.4 – Is the estimated travel time to each alternative court venue reasonable?

Q.5 – In relation to the proposed amendments to the court calendar, are there any additional considerations that should be taken into account?

Q.6 – If you do not agree with the closure of Hearing Centres, have you alternative suggestions for saving money?

2 Introduction

- 2.1 Bangor, Larne, Limavady, Magherafelt and Strabane courthouses became Hearing Centres in September 2009 following a public consultation exercise. These courthouses only open on court sitting days (generally two days a week) and on those days provide a full range of office services. On non-sitting days the buildings are closed and office services are available from other court venues.
- 2.2 This consultation paper seeks views on proposals for the permanent closure of the five Hearing Centres and for the transfer of court sittings from the Hearing Centres to alternative court venues.
- 2.3 The Northern Ireland Courts and Tribunals Service (NICTS) is seeking the views of individuals and organisations with a particular interest in this policy, and a copy of the document is also available on the NICTS website (www.courtsni.gov.uk).
- 2.4 Several questions are posed in section 5 of the consultation document and we would be particularly grateful for views on these.
- 2.5 Please respond by 2nd March 2012 to:

Email: communicationsgroup@courtsni.gov.uk

By post: Consultation Co-ordinator
Closure of Court Hearing Centres Consultation
Northern Ireland Courts and Tribunals Service
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Laganside House
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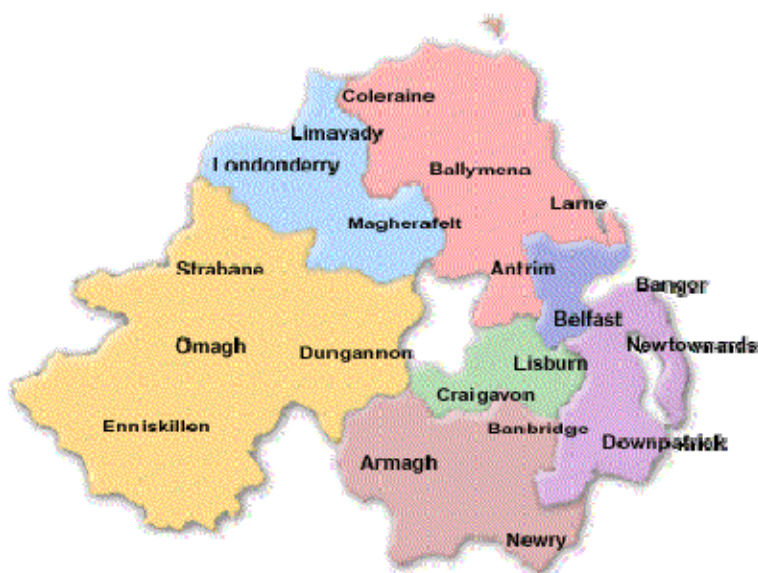
Fax: 028 9072 8942

3 Background and Drivers for Change

Background

- 3.1 The NICTS supports the Minister for Justice in discharging his statutory responsibility to provide an efficient court system to meet the needs of the Northern Ireland public.
- 3.2 The current court map in Northern Ireland is organised into 'county court divisions' and 'petty sessions districts'. Each petty sessions district is made up of one or more local government districts. Each county court division is made up of one or more petty sessions districts. The current court map is set out below.

Court locations



- 3.3 There are currently 23 courthouses in Northern Ireland. Court users may be required to attend a particular courthouse depending on the type of case in which they are involved. While we acknowledge that some travel by public transport, most travel by car. They may not live in the Petty Sessions District in which they have to attend court or they may live closer to other courthouses than the one they are required to attend.
- 3.4 The NICTS is committed to ensuring that court users have access to accommodation that meet their needs, particularly vulnerable and intimidated witnesses, children and disabled people. However, there are a number of courthouses in Northern Ireland that currently do not meet, and cannot be upgraded at a reasonable cost to meet, the standards which court users have a right to expect.
- 3.5 In January 2009, the NICTS published a consultation paper '[Proposals for Court Hearing Centres at Bangor, Larne, Limavady, Magherafelt and Strabane](#)', which was subject to a 12 week consultation exercise, including five advertised public meetings.

- 3.6 The original Hearing Centre proposals were predicated on the fact that it was not efficient to keep the courthouses open on non-court sitting days, to service the small number of customers who wished to transact business in person, when access to these services is available through a range of other service delivery channels including telephone and internet.
- 3.7 At that time, NICTS stated that the Hearing Centres initiative was about making best use of scarce resources, including staff, and it was not a precursor to the full closure. We also indicated that the court estate in Northern Ireland is kept under regular review but that any future proposals for courthouse closures would be subject to a separate public consultation exercise. Circumstances have changed and the NICTS now operates within a more challenging economic environment and must deliver efficiencies.
- 3.8 The NICTS has developed a range of savings plans which will be used to deliver the required efficiencies. A reduction in the court estate is one of a wider package of measures which includes the proposed closure of the five Hearing Centres.

Operating costs

- 3.9 It is estimated that closing the five Hearing Centres and transferring business to an alternative court venue could save over £400k per annum in operating costs (see table 1). This largely relates to expenditure on security, utilities and maintenance.

Table 1

Hearing Centre	Reduction in annual operating costs
Larne	£46,800
Bangor	£80,000
Strabane	£141,900
Limavady	£54,500
Magherafelt	£79,200
Total	£402,400

- 3.10 The projected savings in operating costs represent a considerable contribution towards the efficiency savings the NICTS is required to deliver.

Capital costs

- 3.11 The closure of the Hearing Centres is one of the options outlined in the future NICTS Estate Strategy, which is considered essential to the effective long term management and maintenance of the NICTS estate.

- 3.12 The NICTS commissioned an evaluation of our court buildings which measured fitness for purpose using criteria such as location, accessibility, form and layout, and functionality. The Hearing Centre venues evaluated well in terms of location, reflecting the merits of traditional town centre sites in terms of access to public transport, car parking and local solicitors' offices. However they scored poorly on all the other criteria.
- 3.13 Accessibility was evaluated in relation to ease of access for custody and judicial vehicles, as well as Disability Discrimination Act compliance with Larne and Limavady scoring particularly lowly.
- 3.14 The assessment of form and layout focused on both internal (circulation routes and natural ventilation and lighting) and external (civic presence, approachability, architectural merit) design features. All 5 Hearing Centres scored lowly in this category.
- 3.15 The assessment of functionality considered aspects such as ease of movement, provision of consultation and vulnerable witness rooms, flexibility and capacity to meet IT requirements. The Hearing Centres scored poorly in this regard. These shortcomings are difficult to address through investment as the deficiencies are inherent in the design of the buildings.
- 3.16 It is evident that each of the Hearing Centres requires significant future investment in order to meet the needs of all court users and to comply with modern building standards. NICTS has undertaken initial costing exercises for the five Hearing Centres in respect of following two specific areas:
- Disability Discrimination Act (DDA) compliance; and
 - Property and Equipment Condition Surveys.

3.17 Table 2 (below) details the estimated capital expenditure that would be required to ensure that each of the five Hearing Centres is fit for purpose in future years.

Table 2

Hearing Centre	DDA Expenditure	Condition Survey	Total
Larne	£225,000	£325,000	£550,000
Bangor	£91,000	£453,000	£544,000
Strabane	£47,500	£396,000	£443,500
Limavady	£20,500	£308,000	£328,500
Magherafelt	£65,000	£1,076,000	£1,141,000
Total	£449,000	£2,558,000	£3,007,000

3.18 The DOJ capital budget (including NICTS) has been allocated for the Budget 2010 Spending Review period (to 2014/15) and does not include any allocation for the required expenditure outlined in Table 2 above. The closure of the five Hearing Centres would allow any available capital resource to be applied at other court venues.

4 Proposals for transfer of Hearing Centre business

4.1 Table 3 below shows the current court structure in Northern Ireland, with Hearing Centres shown in red.

Table 3

County Court Division	Petty Sessions Districts	Court offices/venues
Antrim	North Antrim Ballymena Antrim Larne	Coleraine Ballymena Antrim Larne
Ards	Down Ards Castlereagh North Down	Downpatrick Newtownards Bangor
Armagh and South Down	Armagh Newry and Mourne Banbridge	Armagh Newry [Banbridge]
Belfast	Belfast	Laganside Old Townhall [Royal Courts of Justice] [Mays Chambers]
Craigavon	Craigavon Lisburn	Craigavon Lisburn
Fermanagh and Tyrone	East Tyrone Omagh Fermanagh Strabane	Dungannon Omagh Enniskillen Strabane
Londonderry	Londonderry Limavady Magherafelt	Londonderry Limavady Magherafelt

- 4.2 NICTS recognises the importance of access to justice and ensuring that the proposed arrangements are reasonable. When considering the transfer of Hearing Centre business we have applied the criterion that the journey time by public transport from the current to the alternate court venue should not exceed 60 minutes.
- 4.3 While some court users may have to travel further to attend court, the venues to which business would be transferred offer much better quality accommodation and facilities than the Hearing Centres.
- 4.4 We have also sought to minimise disruption to the court calendar by retaining sittings on the same weekday wherever possible and we are not proposing to amalgamate lists or to increase the size of the court lists.
- 4.5 In summary, we would propose the following transfers–
- Bangor court business would transfer to Newtownards Courthouse;
 - Larne court business would transfer to Ballymena Courthouse; and
 - Strabane court business would transfer to Omagh Courthouse.
- 4.6 There is limited scope to absorb additional work at Londonderry Courthouse and we have therefore considered reasonable alternatives for reallocating Limavady and Magherafelt court business to neighbouring Divisions. We propose that –
- Limavady court business would move to the Division of Antrim with business being listed in Coleraine Courthouse;
 - Magherafelt court business would move to the Division of Antrim with business being listed in Antrim Courthouse.
- 4.7 These latter proposals would occur following the implementation of wider court boundary reforms which we consulted on previously and which is available on the [NICTS website](#).

Transfer of business from Bangor to Newtownards

- 4.8 Bangor Courthouse has a single courtroom and it has scheduled Magistrates' Court every Wednesday and Friday. It rarely deals with County Court business. During 2010, Bangor was used on 103 days, which equates to a courtroom utilisation rate of 41.2%. There were no Coroners courts and it is not used for tribunal hearings.
- 4.9 It is proposed that Bangor Wednesday and Friday business would transfer to Newtownards Court 2, with the exception of Bangor Domestic Proceedings which will be listed in Newtownards Court 4.
- 4.10 The proposed Magistrates' Courts calendar for Bangor and Newtownards combined is set out in Table 4.

Table 4

Proposed Courtroom Allocations for Bangor at Newtownards					
		1	2	3	4
Week 1	1st Monday		Magistrates' Criminal		Family
	1st Tuesday		Magistrates' Criminal		
	1st Wednesday		Bangor Magistrates' Criminal		Family
	1st Thursday		Magistrates' Criminal		Family
	1st Friday		Bangor Magistrates' Criminal		
Week 2	2nd Monday		Magistrates' Departmental		Family
	2nd Tuesday		Magistrates' Criminal	Youth	
	2nd Wednesday		Bangor Magistrates' Criminal		Family
	2nd Thursday		Magistrates' Criminal		Domestic/Family
	2nd Friday		Bangor Magistrates' Departmental		
Week 3	3rd Monday		Magistrates' Criminal	Youth	Family
	3rd Tuesday		Magistrates' Criminal		
	3rd Wednesday		Bangor Magistrates' Criminal		Family
	3rd Thursday		Magistrates' Criminal		Family
	3rd Friday		Bangor Magistrates' Criminal		
Week 4	4th Monday		Magistrates' Criminal		Family
	4th Tuesday		Magistrates' Criminal	Youth	
	4th Wednesday		Bangor Magistrates' Criminal		Family
	4th Thursday		Magistrates' Criminal		Family
	4th Friday				Bangor Domestic
week 5	5th Monday		Magistrates' Criminal		
	5th Tuesday		Magistrates' Criminal		
	5th Wednesday		Bangor Magistrates' Criminal		
	5th Thursday		Magistrates' Criminal		
	5th Friday		Bangor Magistrates' Criminal		

- 4.11 It is important that, following any transfer, sufficient capacity remains to facilitate any increase in demand for court, tribunal or inquest sittings. Using business volumes from 2010, the remaining spare capacity is shown in Table 5 below.

Table 5

Court	Current Sitting Days	Re-allocated days	Additional Sitting Days	Projected Sitting Days	Projected Utilisation	Spare Capacity
1	118	0	0	118	47.2%	52.8%
2	191	-32 domestic	81 (Bangor criminal and departmental)	228	96.0%	4.0%
3	73	0	0	73	29.2%	70.8%
4	183	0	32 (Ards Domestic) 20 (Bangor Domestic)0	235	94.0%	6.0% ¹

Travel and transport links

4.12 The distance from Bangor to Newtownards Court is 5.6 miles and takes approximately 15 minutes by car. The journey by bus takes 25 minutes. There are bus stations close to both court venues and there is a regular service.

¹ This figure is based on actual sitting days in 2010, however recent changes to the court calendar for Ards means that there are now fewer sittings in Court 4 and it is anticipated that spare capacity would be approximately 20%

Transfer of business from Larne to Ballymena

4.13 Larne courthouse has a single courtroom and it has scheduled Magistrates' Courts every Friday and on the 2nd, 3rd and 4th Thursdays. In addition, there is approximately 1 small claims/County Court sitting per month. During 2010 Larne was used on 96 days, which equates to a courtroom utilisation rate of 38.4%. There were no inquests and it is not used for tribunal hearings.

4.14 It is proposed to transfer Larne court business to Ballymena Courthouse with no need to alter the fixed days on the court calendar. Larne criminal and departmental courts will transfer to Ballymena Court 2. Domestic, Family and Youth courts would sit in court 3. The proposed Magistrates' Courts calendar for Larne and Ballymena combined is set out in Table 6

Table 6

Proposed Courtroom Allocations with Larne at Ballymena				
		1	2	3
Week 1	1st Monday			
	1st Tuesday			Youth
	1st Wednesday			
	1st Thursday		Magistrates' Criminal	
	1st Friday		Larne Magistrates' Departmental	Family
Week 2	2nd Monday		Magistrates' Criminal	
	2nd Tuesday		Magistrates' Criminal	
	2nd Wednesday			
	2nd Thursday		Magistrates' Criminal	Larne Domestic
	2nd Friday		Larne Magistrates' Criminal	Family
Week 3	3rd Monday			
	3rd Tuesday			Youth
	3rd Wednesday			
	3rd Thursday		Magistrates' Criminal	Larne Family (B)
	3rd Friday		Larne Magistrates' Criminal	Family
Week 4	4th Monday			Domestic
	4th Tuesday		Magistrates' Departmental	
	4th Wednesday			
	4th Thursday		Magistrates' Criminal	Larne Youth
	4th Friday		Larne Magistrates' Criminal	Family
Week 5	5th Monday			
	5th Tuesday			
	5th Wednesday		Criminal Contests Only	
	5th Thursday		Magistrates' Criminal	
	5th Friday		Larne Magistrates' Criminal	Family

4.15 It is important that, following any transfer, sufficient capacity remains to facilitate any increase in demand for court, tribunal or inquest sittings. Using business volumes from 2009/2010², the remaining spare capacity is shown in table 7.

² 2009 data was used for Ballymena which was closed during 2010 for refurbishment

Table 7

Court	Current Sitting Days	Re-allocated days	Additional Sitting Days	Projected Sitting Days	Projected Utilisation	Spare Capacity
1	115	0	8 (County Court)	123	49.2%	50.8%
2	128	0	50 (Criminal Adult/ Departmental)	178	71.2%	28.8%
3	84	0	38 (Youth, Family, Domestic)	122	48.8%	51.2%

Travel and transport links

4.16 The distance from Larne to Ballymena is 20.1 miles and takes 35 minutes by car. The journey by bus takes 50 minutes. There are bus stations convenient to both court venues and there is a suitable service to co-incide with normal court sitting times.

Transfer of business from Limavady to Coleraine

- 4.17 Limavady Courthouse has a single courtroom and it has scheduled Magistrates' Courts every Wednesday. In addition, there are approximately 1-2 small claims/county court sittings per month. During 2010 Limavady was used on 70 days for court hearings, which equates to a courtroom utilisation rate of 28%. Including miscellaneous tribunal sittings etc this increases to 38.8%.
- 4.18 We have considered the possibility of keeping Limavady business on a Wednesday but moving it to Coleraine Court 3. However this would not be ideal as there is no dock in Court 3. Therefore it is proposed to move Limavady business to Coleraine Court 1 on a Tuesday.
- 4.19 The proposed Magistrates' Courts calendar for Limavady and Coleraine combined is set out in Table 8. Youth Court, family and domestic proceedings business for Limavady has already been transferred to Londonderry. It is proposed that this business should also transfer to Coleraine at the same time as the remaining Limavady business.

Table 8

Proposed Courtroom Allocations for Limavady at Coleraine				
		1	2	3
Week 1	1st Monday	Magistrates' Criminal		
	1st Tuesday	Limavady Magistrates' Criminal		
	1st Wednesday	Magistrates' Criminal		
	1st Thursday	Magistrates' Departmental		
	1st Friday			
Week 2	2nd Monday	Magistrates' Criminal		Family (B)
	2nd Tuesday	Limavady Magistrates' Criminal		Youth
	2nd Wednesday	Magistrates' Criminal		
	2nd Thursday			
	2nd Friday	Magistrates' Criminal		
Week 3	3rd Monday	Magistrates' Criminal		
	3rd Tuesday	Limavady Magistrates' Criminal/Departmental		
	3rd Wednesday	Magistrates' Criminal		
	3rd Thursday			Domestic
	3rd Friday	Magistrates' Criminal		
Week 4	4th Monday	Magistrates' Criminal		Family (B)
	4th Tuesday	Limavady Magistrates' Criminal		Youth
	4th Wednesday	Magistrates' Criminal		
	4th Thursday			
	4th Friday	Magistrates' Criminal		
Week 5	5th Monday	Magistrates' Criminal		
	5th Tuesday	Limavady Magistrates' Criminal		Criminal Contests Only
	5th Wednesday	Criminal Contests Only		
	5th Thursday			
	5th Friday	Criminal Contests Only		

4.20 It is important that, following any transfer, sufficient capacity remains to facilitate any increase in demand for court, tribunal or inquest sittings. Using business volumes from 2010, the remaining spare capacity is shown in Table 9 below.

Table 9

Court	Current Sitting Days	Re-allocated days	Additional Sitting Days	Projected Sitting Days	Projected Utilisation	Spare Capacity
1	197	0	56 (Criminal Adult/ Departmental)	253	100%	0%
2	98	0	0	98	39.2%	60.8%
3	79	0	14 (County Court)	93	37.2%	62.8%

4.21 It is clear that the proposed transfer of business would leave no capacity in Coleraine Court 1, while Court 2 and 3 have less than 50% utilisation. Reallocating the 22 days for Coleraine Domestic business from Court 1 to Court 3 and the 20 Coleraine County Court sitting days from Court 1 to either Court 2 or 3 (depending on the nature of the business) could be easily managed and would ensure that there was capacity in all 3 courtrooms.

Travel and transport links

4.22 The distance from Limavady to Coleraine is 13.4 miles and takes 25 minutes by car. The journey by bus takes 30 minutes. There are bus stations convenient to both court venues and there is a suitable service to coincide with normal court sitting times.

Transfer of business from Magherafelt to Antrim

- 4.23 Magherafelt Courthouse has 2 courtrooms and it has scheduled Magistrates' Courts every Wednesday (except 5th) and on the 1st and 3rd Mondays. In addition, there are approximately 1-2 small claims/County Court sittings per month. During 2010, Magherafelt was used on 125 days, which equates to a courtroom utilisation rate of 50%. In addition it was used on 1 day for an inquest and 1 day by the Enforcement of Judgments Office.
- 4.24 It is proposed that Magherafelt Wednesday sittings would be transferred to Antrim Court 3 on Wednesday. It is proposed that the 1st and 3rd Monday sittings would move to Antrim Court 3 on the 1st and 3rd Friday.
- 4.25 The proposed Magistrates' Courts calendar for Magherafelt and Antrim combined is set out in Table 10. Family Proceedings Court business for Magherafelt is currently dealt with in Londonderry. It is proposed that these cases should also transfer to Antrim at the same time as the remaining Magherafelt business.

Table 10

Proposed Courtroom Allocations for Magherafelt at Antrim				
		1	2	3
Week 1	1st Monday			Magistrates' Departmental
	1st Tuesday			Magistrates' Criminal
	1st Wednesday			Magherafelt Magistrates' Criminal
	1st Thursday			Family (B)
	1st Friday			Magherafelt Magistrates' Departmental/Youth
Week 2	2nd Monday			Youth
	2nd Tuesday			Magistrates' Criminal
	2nd Wednesday			Magherafelt Magistrates' Criminal
	2nd Thursday			
	2nd Friday			
Week 3	3rd Monday			Domestic
	3rd Tuesday			Magistrates' Criminal
	3rd Wednesday			Magherafelt Magistrates' Criminal
	3rd Thursday			
	3rd Friday			Magherafelt Domestic & Youth
Week 4	4th Monday			Youth
	4th Tuesday			Magistrates' Criminal
	4th Wednesday			Magherafelt Magistrates' Criminal
	4th Thursday			
	4th Friday			
week 5	5th Monday			Criminal Contests only
	5th Tuesday			Magistrates' Criminal
	5th Wednesday			
	5th Thursday			
	5th Friday			

4.26 It is important that, following any transfer, sufficient capacity remains to facilitate any increase in demand for court, tribunal or inquest sittings. Using 2009/2010³ business volumes, the remaining spare capacity is shown in Table 11 below.

Table 11

Court	Current Sitting Days	Re-allocated days	Additional Sitting Days	Projected Sitting Days	Projected Utilisation	Spare Capacity
1	157	0	0	157	62.8%	36.2%
2	171	0	21 (County Court)	192	76.28%	23.82%
3	71	0	104 (Criminal Adult, Departmental, Domestic, Youth)	175	70%	30%

Travel and transport links

4.27 The distance from Magherafelt to Antrim is 25.4 miles and takes 30 minutes by car. The journey by bus takes 45 minutes. There are bus stations close to both court venues and there is a suitable service to coincide with normal court sitting times.

³ 2009 business volumes were used for Antrim, as 2010 figures were impacted by the Ballymena closure

Transfer of business from Strabane to Omagh

4.28 Strabane Courthouse has 2 courtrooms and it has scheduled Magistrates' Courts every Thursday and Friday (except 5th) and the 5th Wednesday. In addition, there are approximately 2-3 small claims/County Court sittings per month. During 2010, Strabane Court 1 was used on 124 days (49.6% utilisation) and Court 2 on 23 days (9.2% utilisation). In addition it was used on 1 day for inquests and on 13 days for Industrial Tribunals.

4.29 It is not possible to transfer Strabane business to Omagh without changing the fixed days on the court calendar. We would propose to move Strabane Thursday and Friday business to Omagh Court 2 on a Monday and Wednesday respectively. Youth and Domestic business would transfer to Court 4. Strabane County Court business could be accommodated within Court 3.

4.30 The proposed Magistrates' Courts calendar for Strabane and Omagh combined is set out in Table 12.

Table 12

Proposed Courtroom Allocations for Strabane at Omagh					
		1	2	3	4
Week 1	1st Monday		Strabane Magistrates' Criminal		
	1st Tuesday		Magistrates' Criminal		
	1st Wednesday		Strabane Magistrates' Criminal		
	1st Thursday		Magistrates' Criminal		Family (D)
	1st Friday				Youth & Domestic
Week 2	2nd Monday		Strabane Magistrates' Departmental		
	2nd Tuesday		Criminal Contests Only		
	2nd Wednesday		Strabane Criminal Contests Only		
	2nd Thursday				
	2nd Friday		Magistrates' Departmental		
Week 3	3rd Monday		Strabane Magistrates' Criminal		Family (D)
	3rd Tuesday		Magistrates' Criminal		Strabane Youth & Domestic
	3rd Wednesday				Youth
	3rd Thursday				Family (D)
	3rd Friday				Youth & Domestic
Week 4	4th Monday		Strabane Magistrates' Criminal		
	4th Tuesday		Criminal Contests Only		
	4th Wednesday		Strabane Criminal Contests Only		
	4th Thursday				Family (D)
	4th Friday		Criminal Contests Only		
week 5	5th Monday				
	5th Tuesday		Criminal Contests Only		
	5th Wednesday		Strabane Magistrates' Criminal	Criminal Contests Only	
	5th Thursday		Strabane Magistrates' Criminal	Criminal Contests Only	
	5th Friday				

4.31 It is important that, following any transfer, sufficient capacity remains to facilitate any increase in demand for court, tribunal or inquest sittings. Using 2010 business volumes, the remaining spare capacity is shown in Table 13 below.

Table 13

Court	Current Sitting Days	Re-allocated days	Additional Sitting Days	Projected Sitting Days	Projected Utilisation	Spare Capacity
1	128	0	0	128	51.2%	50.8%
2	129	0	89 (Criminal Adult/ Departmental)	218	87.2%	12.8%
3	16	0	35 (County Court)	51	20.4%	79.6%
4	69	0	23 (Youth & Domestic)	92	36.8%	63.2%

Travel and transport links

4.32 The distance from Strabane to Omagh is 20.2 miles and takes 35 minutes by car. The journey by bus takes 50 minutes. There are bus stations close to both court venues and there is a suitable service to coincide with normal court sitting times.

5 Questions to Consider

Questions to Consider

5.1 We would welcome responses to the following questions set out in the consultation paper –

Question 1 – What are your views on the closure of Hearing Centres as a way of making best use of available resources?

Question 2 – Are there any factors which you consider would preclude the closure of any of the Hearing Centres?

Question 3 – Do you consider that the proposed alternative venue for each Hearing Centre is the most appropriate for court users?

Question 4 – Is the estimated travel time to each alternative court venue reasonable?

Question 5 – In relation to the proposed amendments to the court calendar, are there any additional considerations that should be taken into account?

Question 6 – If you do not agree with the closure of Hearing Centres, have you alternative suggestions for saving money?

5.2 We would also welcome any comments in relation to the results of the Equality Screening Exercise and the Partial Regulatory Impact Assessment which were carried out for these proposals, and which are set out at Annexes A and B respectively.

6 Consultation

- 6.1 NICTS will be writing to political parties, the judiciary, the legal professions, and a wide variety of other organisations with an interest in the court system to notify them about this consultation exercise. A copy of this document is also available on the NICTS website (www.courtsni.gov.uk).
- 6.2 This consultation is being carried out in accordance with the Cabinet Office Code of Practice on Consultation. This Code of Practice stipulates that the seven consultation criteria must be reproduced with any consultation document. The consultation criteria are:
1. **When to consult** – Formal consultations should take place at a stage where there is scope to influence the policy outcome.
 2. **Duration of consultation exercises** – Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.
 3. **Clarity of scope and impact** – Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.
 4. **Accessibility of consultation exercises** – Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.
 5. **The burden of consultation** – Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.
 6. **Responsiveness of consultation exercises** – Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.
 7. **Capacity to consult** – Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

7 How to Respond

7.1 The last date for responses to this consultation is **2nd March 2012**.

7.2 Consultation Responses should be sent to:

Email: communicationsgroup@courtsni.gov.uk

By post: Consultation Co-ordinator
Closure of Court Hearing Centres Consultation
Northern Ireland Courts and Tribunals Service
Communications Group
Laganside House
23-27 Oxford Street
BELFAST
BT1 3LA

Telephone: 028 9041 2386

Textphone: 028 9041 2920

Fax: 028 9072 8942

7.3 When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

7.4 A list of consultees who have been notified about this consultation is presented at **Annex C**.

Confidentiality

7.5 In line with the NICTS policy of openness, at the end of the consultation period copies of the responses we receive may be made publicly available. The information they contain may also be published in a summary of responses. If such a summary is published it will be made available on the NICTS website. If you do not want all or part of your response or name made public, please state this clearly in your response. Any confidentiality disclaimer that may be generated by you/your organisation's IT system or included as a general statement in your fax cover sheet will be taken to apply only to information in your response for which confidentiality has been specifically requested.

7.6 We will handle any personal data you provide in accordance with the Data Protection Act 1998.

7.7 You should also be aware that there may be circumstances in which the NICTS will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000.

7.8 Please contact the NICTS Consultation Co-ordinator at the address above to request copies of consultation responses. An administrative charge may be made to cover photocopying of the responses and postage costs.

Complaints

7.9 If you have any comments about the way this consultation has been conducted, they should be sent to the Head of Communications Group at:

Email: communicationsgroup@courtsni.gov.uk

By post: Consultation Co-ordinator
Closure of Court Hearing Centres Consultation
Northern Ireland Courts and Tribunals Service
Communications Group
Laganside House
23-27 Oxford Street
BELFAST
BT1 3LA

Telephone: 028 9041 2386

Textphone: 028 9041 2920

Fax: 028 9072 8942

Additional Copies

7.10 You may make copies of this document without seeking permission. If you require further printed copies of the consultation document, we would invite you to access the document through our website and make the copies yourself. If you do not have access to the internet and require us to provide you with further copies, please contact the Consultation Co-ordinator with your specific request.

7.11 This document is available in alternative formats on request. Please contact the Communications Group at the address at paragraph 7.9 above with your request.

What happens next?

7.12 We will aim to publish a summary of the views expressed by consultees and the Department's response on the Northern Ireland Courts and Tribunals Service website within three months of the end of the consultation period.

Plans for making the results public

7.13 In accordance with criterion 6 of the Cabinet Office Code of Practice on written consultation, decisions taken in the light of the consultation shall be made public promptly with a summary of the views expressed (subject to respondents' requests for confidentiality) and reasons for the decisions finally taken.

NORTHERN IRELAND COURTS AND TRIBUNALS SERVICE

Screening of Policies

Consultation on proposals to close Hearing Centres at Bangor, Larne, Limavady, Magherafelt and Strabane

Date Policy Screened: 11th October 2011

Policy Screened by:

Peter Luney, Head of Court Operations

Jim Coffey, Regional Business Manager

Leslie Millar, Court Administrator, Division of Londonderry

Kate Rafferty, Business Development Group

CONTENTS

1. General Guidance on screening of policies
2. Summary of policy
3. Summary of available information
4. Guidance on completing questionnaire
5. Screening form

1. General guidance on screening of policies

Section 75 of the Northern Ireland Act places new duties on Public Authorities to promote equality of opportunity and good relations. The statutory duty makes equality central to the whole range of public policy decision making and should:

- Contribute to better decisions being made by public authorities
- Encourage greater openness in government
- Achieve greater transparency in decision making
- Assist public authorities to effectively and efficiently address issues of equality
- Assist in complying with the law.

The Northern Ireland Courts and Tribunals Service arrangements for complying with this requirement are set out in our Equality Scheme. Section 3.3 of the Scheme outlines our commitment in line with the Equality Commission's guidance to screen all our policies to identify those with equal opportunity implications.

It is important that when considering the impact of policies on the promotion of equality of opportunity, due regard is given to the need to promote **equality of opportunity** for all categories of persons specified in Section 75. (The Nine Categories).

These are:

- Persons of different religious belief
- Persons of different political opinion
- Persons of different racial group
- Persons of different age
- Persons of different marital status
- Persons of different sexual orientation
- Men and women generally
- Persons with a disability and persons without
- Persons with dependents and persons without

The relevant categories of persons between whom good relations are to be promoted are

- Persons of different religious belief
- Persons of different political opinion
- Persons of different racial group

Each Policy will be considered against the following criteria:

- Is there evidence of higher or lower participation or uptake by different groups?
- Is there evidence that different groups have different needs, experiences, issues and priorities in relation to the particular policy?
- Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in government or in the larger community
- Have consultations with relevant groups, organisations or individuals indicated that particular policies create problems, which are specific, to them.

Section 5 is a Screening Form that should facilitate your considerations.

2. Summary of policy

In September 2009, following a public consultation exercise, Bangor, Larne, Limavady, Magherafelt and Strabane courthouses became Hearing Centres. Hearing Centres are only open on sitting days and on those days provide a full range of office services. On non-sitting days the buildings are closed and office services are available from other court venues.

The original Hearing Centre proposals were predicated on the fact that it was not efficient to keep the courthouses open on non-court sitting days, to service the small number of customers who wished to transact business in person, when access to these services is available through a range of other service delivery channels including telephone and internet.

At that time, NICTS stated that the Hearing Centres initiative was about making best use of scarce resources, including staff, and it was not a precursor to the full closure. We also indicated that the court estate in Northern Ireland is kept under regular review but that any future proposals for courthouse closures would be subject to a separate public consultation exercise.

Circumstances have changed and the NICTS now operates in a more challenging economic environment and must deliver efficiencies. The NICTS has developed a range of savings plans which will be used to deliver the required efficiencies. A Reduction in Estate is one element which includes the proposed closure of the five Hearing Centres.

It is estimated that closing the five Hearing Centres and transferring business to an alternative court venue could save over £400,000 per annum in operating costs. This largely relates to expenditure on security, utilities and minor maintenance. The projected savings in operating costs represent a considerable contribution towards the efficiency savings the NICTS is required to deliver.

In addition, it is evident that each of the Hearing Centres requires significant future investment to meet the needs of all court users and to comply with modern building

standards. NICTS has undertaken initial costing exercises for the five Hearing Centres in respect of following two specific areas:

- Disability Discrimination Act (DDA) compliance; and
- Property and Equipment Condition Surveys.

Initial costing exercises estimate that in excess of £3m capital expenditure would be required to ensure that each of the five Hearing Centres is fit for purpose in future years. This capital expenditure is not within the NICTS budget and it is unlikely it could be secured. The closure of the five Hearing Centres would allow any available capital resource to be utilised on other court venues.

The consultation paper details proposals for transferring Hearing Centre business to an alternative court location.

The NICTS recognises the importance of access to justice and ensuring that the proposed arrangements are reasonable. When considering the transfer of Hearing Centre business we have applied the criterion that the journey time from the current to the alternate court venue should not exceed 60 minutes.

While some customers may have to travel further to attend court, the venues to which business would be transferred offer better quality accommodation and facilities than the Hearing Centres.

We have also sought to minimise disruption to the court calendar by retaining sittings on the same weekday where possible and we are not proposing to amalgamate lists or increase list sizes.

In summary, we would propose the following transfers–

- Bangor business would transfer to Newtownards Court;
- Larne business would transfer to Ballymena Court; and
- Strabane business would transfer to Omagh Court.

There is limited scope to absorb additional work at Londonderry and we have therefore considered reasonable alternatives for reallocating Limavady and Magherafelt business to neighbouring Divisions. We propose that –

- Limavady would move to the Division of Antrim with business being listed in Coleraine Court;
- Magherafelt would move to the Division of Antrim with business being listed in Antrim Court.

These latter proposals would occur following the implementation of wider (single jurisdiction) court boundary reforms which we consulted on previously.

For each of the proposed transfers the draft consultation paper provides an analysis of how the business would be accommodated at the alternative venue; assesses the spare capacity that would remain following the transfer of business; and considers the potential implications for travel and availability of transport links.

3. Summary of information available

The Screening Panel was provided with the draft consultation paper together with the more detailed underpinning analysis relating to the transfer of business.

The Screening Panel was also given a copy of presentation delivered at a meeting with the judiciary from the areas impacted by the proposals. In addition the Screening Panel was provided with a draft of the Partial Regulatory Impact Assessment which was prepared to accompany the consultation paper.

Finally the policy owner provided the Screening Panel with a brief summary of feedback received from key stakeholders and explained how this had helped to shape the current draft of the proposals.

4. Guidance on completing questionnaire

Before completing the questionnaire you should ensure that you have a clear understanding of the aim of the policy in question.

SECTION A Questions 1-6 help you to think about the scope of the policy, policies which are related to it, the main stakeholders and any factors which could contribute or detract from its aims or implementation.

SECTION B Questions 1-4 deal with the criteria set out at section 1. Before answering these questions you should have considered fully any information available which may have impacted on the development of the policy. Question 3 specifically asks for details of consultations and research with relevant groups, organisations or individuals and the outcome of this.

Having considered the available information you should again think through the policy and its purpose to identify whether there is anything expressed within it which is likely to have an adverse differential impact on anyone belonging to any group within the nine categories, or alternatively, any action omitted, the addition of which would promote equality of opportunity, (**Question 4**). Question 5 relates to the two new duties imposed on public authorities under the Disability Discrimination Act in 2007 requiring the promotion of positive attitudes towards disabled people and encouraging participation by disabled people in public life.

SECTION C Questions 1 – 5 deal specifically with the impact of the policy in the context of the Human Rights Act.

SECTION D If the answer to one or more of these questions is **Yes** you are asked to make a determination as to whether or not the policy should be subject to a full equality impact assessment

It should be borne in mind that a **Yes** answer does not automatically trigger an equality impact assessment. Unfortunately there is no guidance available on what constitutes adverse differential impact, although it should be noted that differential impact could exist between groups but not necessarily be adverse.

If the answer to all the questions is **No** there is then clearly no requirement to subject the policy to a full equality impact assessment.

If however the answer to **SECTION D** is **Yes**, a full equality impact assessment is required, a view must then be reached on the priority issues for equality impact assessment, (**SECTION E**).

Priorities will be based on the following factors:

- effect on peoples daily lives
- strategic significance of the policy
- budgetary significance of the policy

Remember that the purpose of this screening is to **identify** any equality implications within the policy; it is not to carry out a full impact assessment. Use your knowledge of the policy together with the additional available information to help you provide an informed indication of whether a full equality impact assessment is or is not necessary.

Finally **SECTION F** is the Final Authorisation and Endorsement which requires the signature of both the policy developer and the responsible manager.

Northern Ireland Courts and Tribunals Service SCREENING FORM

SECTION A: SCOPING THE POLICY

1. Title of Policy:

Consultation on proposals to close Hearing Centres at Bangor, Larne, Limavady, Magherafelt and Strabane courthouses

2. Aims and Description

NICTS currently has 23 court buildings in Northern Ireland. The proposal considered in this paper aims to deliver efficiencies in running costs, to address an unmet need in terms of future capital expenditure, and to provide potential for the disposal of surplus court buildings. Any such disposal would be subject to the approval of the Department and DFP

Further benefits flowing from the proposed closures would be to improve the court utilisation of the remaining court estate, providing better quality accommodation and facilities to court users; and enabling greater flexibility due to the consolidation of business at fewer venues.

3. Who owns or defines the policy?

Northern Ireland Courts and Tribunals Service

4. Which other policies are related to this policy?

This policy does not relate directly to other NICTS policies but is relevant for listing court business and judicial assignments which are the responsibility of the Lord Chief Justice.

5. Who are the main stakeholders in relation to the policy?

The judiciary, Legal Profession, Court users generally including the Police Service for Northern Ireland, Public Prosecution Service, Probation Board for Northern Ireland and everyone else who uses the Hearing Centres.

6. What factors/forces could contribute/detract from the aim or implementation of the policy?

The policy envisages the smooth transfer of court business from the Hearing Centres to alternative convenient court locations. It will be important to implement these changes carefully to ensure that all participants and other court users are aware of the timing of the alternative arrangements. This will require a detailed implementation plan.

SECTION B: SCREENING FOR EQUALITY ISSUES

1. Is there any evidence of higher or lower participation or uptake by different groups?

	Yes (please specify)	No	Not known
Religious belief		✓	
Political opinion		✓	
Racial group		✓	
Age	✓ (see below)		
Marital status		✓	
Sexual orientation		✓	
Gender	✓ (see below)		
Disability		✓	
Dependency	✓ (see below)		

Additional Comments:

The vast majority of court sittings at the Hearing Centres are Magistrates Criminal courts for adult defendants. Although NICTS does not routinely collect section 75 data in relation to court users it would be accepted that a large proportion of defendants in these courts will be young males. In addition 2 of the Hearing Centres have Youth courts dealing with young defendants. As outlined in the consultation document there is a likelihood that some court users will have to travel further, although it is also noted that defendants will not necessarily be required to attend court in the area in which they reside, but rather where the offence was committed.

Only one of the Hearing Centres deals with Family Proceedings courts (FPC) and it can be assumed that many of the parties in these cases will have dependents and may have to travel further to attend court. Conversely, however, it is proposed that Magherafelt FPC business would move from Derry to Antrim and Limavady FPC from Derry to Coleraine. Many of the parties in these proceedings may benefit from shorter travel.

2. Is there evidence or indications that different groups have different needs, experiences, issues and priorities in relation to this policy issue?

	Yes (please specify)	No	Not known
Religious belief		✓	
Political opinion		✓	
Racial group		✓	
Age	✓		
Marital status		✓	
Sexual orientation		✓	
Gender		✓	
Disability	✓		
Dependency	✓		

Additional Comments:

Where a court user does have to travel further to attend court it is reasonably conceivable that this would have more of an impact on children (who may not have ready access to private transport) and on persons with dependants who may find themselves away for a longer period. The policy outlines the criteria which has been applied in relation to travel which we believe is reasonable. Where an individual has specific needs it may also be possible to accommodate these e.g. by having a case called earlier to allow a person to leave.

It is also noted that the alternative court venues offer a better standard of accommodation and facilities than the Hearing Centres which should benefit court users generally and may better address particular needs for specific groups such as disabled persons.

3. Have consultations/research with relevant groups, organisations or individuals indicated that policies of this type create problems that are specific to them? (The user engagement guide and protocol provide useful support.)

	Yes (please specify)	No
Religious belief		✓
Political opinion		✓
Racial group		✓
Age		✓
Marital status		✓
Sexual orientation		✓
Gender		✓
Disability		✓
Dependency		✓

Additional Comments:

Much of the engagement to date has been with the judiciary who are a key stakeholder in this process. However, in addition to the public consultation, it is proposed to hold public meetings at each of the Hearing Centre venues to allow us to engage directly with local stakeholders. Officials will also seek to pro-actively engage with groups representing children, older people and disabled persons to ensure that their views are received.

a) List the organizations/groups/individuals both internal and external, that you contacted during the development of the policy

External – Office of the Lord Chief Justice; Representative group of the judiciary from the areas impacted by the proposals

Internal - NICTS Agency Board; Strategic Planning Group; Court Administrators Group; Security, Commercial and Estates and Tribunals Division.

b) Specify how comments were incorporated into the final draft policy

Representations made in relation to access to justice resulted in greater analysis of travel times and public transport links.

Representations in relation to business volumes resulted in greater analysis of the impacts on the court calendar, utilisation rates and spare capacity following the transfer of business.

c) If ideas from groups weren't included please indicate why not

None
N/A

4. In relation to implementing this policy, is there an opportunity to better promote equality of opportunity or good relations by altering the policy or by working with others in Government or in the larger community?

Yes

No

Please Specify:

5. Have you identified opportunities to:

a) promote positive attitudes towards disabled people;

b) encourage participation by disabled people in public life?

Please Specify:

No specific opportunities have been identified although we have noted above that the alternative court venues offer a better standard of accommodation and facilities than the Hearing Centres which should benefit court users generally and may better address particular needs for specific groups such as disabled persons

6. Monitoring Information: What data will be required to ensure effective monitoring of the policy following implementation?

We will use exit surveys at the proposed alternative court venues to assess the impact of the proposals on court users. We will also monitor the impact of the proposals on business processing and court sitting times, although no impact is anticipated.

7. Have you any other comments on the policy and/or screening exercise?

No

SECTION C: HUMAN RIGHTS IMPACT ASSESSMENT

Articles as identified by European Convention of Human Rights.

- Article 2 - Right to life
- Article 3 - Prohibition of torture, inhuman or degrading treatment
- Article 4 - Prohibition of slavery and forced labour
- Article 5 - Right to liberty and security
- Article 6 - Right to fair and public trial
- Article 7 - Right to no punishment with law
- Article 8 - Right to respect for private and family life, home and correspondence
- Article 9 - Right to freedom of thought, conscience and religion
- Article 10 - Right to freedom of expression
- Article 11 - Rights to freedom of assembly and association
- Article 12 – Right to marry and to found a family
- Article 14 – The prohibition of discrimination
- Protocol 1 Article 1 – Protection of Property
- Protocol 1 Article 2 - Right to education

Definitions of degree of risk of infringement of each article:

High risk – It is foreseeable that this policy is very likely to breach this Article.

Medium risk – This policy is likely, in certain circumstances, to breach this Article.

Low risk – It is possible, though very unlikely, that this policy will breach this Article.

1. Indicate any potential Human Rights implications associated with this policy, the perceived degree of risk (see above) and who the victim may be.

	Has this policy the potential to infringe the rights (Please Tick)		If yes indicate here the degree of risk – High, Medium or Low (See definitions above)	If yes indicate here who the potential victim(s) would be
	Yes	No		
Article 2		✓		
Article 3		✓		
Article 4		✓		
Article 5		✓		
Article 6		✓		
Article 7		✓		
Article 8		✓		
Article 9		✓		
Article 10		✓		
Article 11		✓		
Article 12		✓		
Article 14*		✓		
Article 1 of Protocol 1		✓		
Article 2 of Protocol 1		✓		

2. Outline any justification for any infringements identified:

N/A

3. Are any alternatives available which may not infringe Human Rights?

N/A

If yes, and the decision has been taken NOT to pursue the alternatives, please give a rationale for this decision.

N/A

4. Outline any action which could be taken to reduce the level of infringement.

N/A

5. Are there actions that can be taken that would promote human rights?

N/A

SECTION D: RECOMMENDATION: DECISION TO PROCEED TO FULL EQUALITY IMPACT ASSESSMENT (EQIA)

On the basis of answers to Questions 1 to 4 in Section A (and in particular positive answers), do you recommend that the policy should be subjected to a full equality impact assessment?

Yes

No

Please specify your reasons:

As discussed above, it is considered that some court users may be required to travel further to attend court. This was considered during the development of the policy and NICTS has applied a criterion which it considers preserves reasonable access to justice. It is also considered that some users may benefit from short travel which offsets the overall impact. Accordingly we do not recommend that that full EQIA is required.

SECTION E: TIMETABLE FOR EQUALITY IMPACT ASSESSMENT (to be completed if you have made a recommendation for a full EQIA).

1. Assess the policy in terms of its priority for equality impact assessment.

	High	Medium	Low
Effect on people's daily lives.			
Strategic significance of policy			
Budgetary significance of the policy			

2. Is the policy affected by internal or external strategies, policies or initiatives that are relevant to the scheduling of the EQIA?

Yes No

Please Specify:

3. Is the organisation carrying out an EQIA in the same area? Could they be conducted collaboratively?

Yes No

4. What is the estimated scale of expenditure incurred by the policy?

5. Overall priority rating:

HIGH

MEDIUM

LOW


6. Estimated date for completing the Equality Impact Assessment

SECTION F: FINAL AUTHORISATION AND ENDORSEMENT

a. To be completed by the Policy Developer(s)

Where a working group was set up to develop this policy, **please list their names below.** The chair or lead person of that group should sign this form and, in doing so confirms that policy screening under Section 75 of the Northern Ireland Act and screening for infringements to the Human Rights Act has been carried out on this policy.

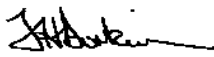
Peter Luney, Head of Court Operations
 Paula McCourt, Regional Business Manager (now Laganside Courts)
 Jim Coffey, Head of Operational Policy (now Regional Business Manager)
 Sam Hynes, Commercial and Estates

Signed:  **Date:** 11th October 2011
Name: Peter Luney **Title:** Head of Court Operations

b. To be completed by responsible Executive Manager

I am satisfied that this policy has been properly screened for both equality and human rights. Based on the information provided by the policy developer from the policy screening, this policy:

- Needs to go to full EQIA
- Does not need to go to full EQIA

Signed:  **Date:** 11th October 2011
Name: Jacqui Durkin **Title:** Head of Business Operations

Partial Regulatory Impact Assessment

1. This partial Regulatory Impact Assessment (RIA) is being carried out according to the Northern Ireland Executive's guide to regulatory impact assessment (DETI). The guide requires that a partial RIA should accompany a policy consultation.

Title of proposal

2. The proposal under consideration is the closure of Hearing Centres at Bangor, Larne, Limavady, Magherafelt and Strabane courthouses.

Purpose and intended effect of measure

(i) The objective

3. NICTS currently has 23 court buildings in Northern Ireland. The proposal considered in this paper aims to deliver efficiencies in running costs, to address an unmet need in terms of future capital expenditure, and to provide potential for the disposal of surplus court buildings.
4. Further benefits flowing from the proposed closures would be to improve the court utilisation of the remaining court estate, providing better quality accommodation and facilities to court users; and enabling greater flexibility due to the consolidation of business at fewer venues.

(ii) The background

5. In September 2009, following a public consultation exercise, Bangor, Larne, Limavady, Magherafelt and Strabane courthouses became Hearing Centres. Hearing Centres are only open on sitting days and on those days provide a full range of office services. On non-sitting days the buildings are closed and office services are available from other court venues.
6. At that time, NICTS stated that the Hearing Centres initiative was about making best use of scarce resources, including staff, and it was not a precursor to the full closure. We also indicated that the court estate in Northern Ireland is kept under regular review but that any future proposals for courthouse closures would be subject to a separate public consultation exercise.
7. Circumstances have changed and the NICTS now operates within a challenging economic environment and must deliver efficiencies. The NICTS has developed a range of savings plans which will be used to deliver the required efficiencies.
8. It is estimated that closing the five Hearing Centres and transferring business to an alternative court venue could save over £400,000 per annum in operating costs. This largely relates to expenditure on security, utilities and minor maintenance. The projected savings in operating costs represent a considerable contribution towards the efficiency savings the NICTS is required to deliver.
9. In addition, initial costing exercises estimate that in excess of £3m capital expenditure would be required to ensure that each of the five Hearing Centres is fit for purpose in future years. The closure of the five Hearing Centres could focus any available capital resource on other court venues.

(iii) Risk Assessment

10. Court users may be summonsed or required to attend a particular courthouse depending on the type of case they are involved in or where the offence took place. Court users may not live in the Petty Sessions District in which they have to attend court or they may live closer to other courthouses than the one they need to attend.
11. Nonetheless, Hearing Centres venues provide convenient access to justice for court users living in those areas. Their closure will inevitably lead to additional travel and inconvenience for some court users. NICTS recognises the importance of ensuring that the proposed arrangements are reasonable. When considering the transfer of Hearing Centre business we have applied the criterion that the journey time from the current to the alternate court venue should not exceed 60 minutes.
12. While it is not possible to quantify with certainty the proportion of court users who would be adversely affected by the proposals, we believe that the proposed transfers adequately preserve the access to justice principle.
13. There is a further risk relating to the uncertainty of the future impact on utilisation levels of individual courts, particularly from unforeseen increases in demand; as well as the risk of poor change management that could impact on individual court work volumes.
14. In section 4 of the consultation paper we assess the spare capacity which will remain at each of the alternative court venues following the proposed transfers. We are satisfied that there is ample capacity to cope with increased demand.

Options

15. As well as the 'do nothing' base case, one option was considered for consultation. The list of courts selected for closure under Option 1 (i.e. the 5 Hearing Centres) is informed by court utilisation levels and an assessment of their fitness for purpose.

Option 0: Do-nothing option

16. Under the 'do nothing' base case the court estate is left unchanged and we have assumed court activity volumes continue at the same level. Because the 'do nothing' option is compared against itself costs and benefits are necessarily zero.

Option 1: Closure of the 5 Hearing Centres and transfer of business to alternative court venues

Benefits

(i) To NICTS

17. Fewer court buildings will mean that NICTS benefits from reduced future running costs, notably reduced fuel, utilities, security, property services, maintenance and other office expenditure.

18. It is estimated that closing the five Hearing Centres and transferring business to an alternative court venue could save £402,400 per annum in operating costs (see below).

Hearing Centre	Reduction in annual operating costs
Larne	£46,800
Bangor	£80,000
Strabane	£141,900
Limavady	£54,500
Magherafelt	£79,200
Total	£402,400

19. It is evident that each of the Hearing Centres requires significant future investment to meet the needs of all court users and to comply with modern building standards. NICTS has undertaken initial costing exercises for the five Hearing Centres in respect of following two specific areas:

- Disability Discrimination Act (DDA) compliance; and
- Property and Equipment Condition Surveys.

20. The table below details the estimated capital expenditure that would be required to ensure that each of the five Hearing Centres is fit for purpose in future years. This is not currently funded within allocated budgets and would form a financial pressure if it had to be funded.

Hearing Centre	DDA Expenditure	Condition Survey	Total
Larne	£225,000	£325,000	£550,000
Bangor	£91,000	£453,000	£544,000
Strabane	£47,500	£396,000	£443,500
Limavady	£20,500	£308,000	£328,500
Magherafelt	£65,000	£1,076,000	£1,141,000
Total	£449,000	£2,558,000	£3,007,000

21. NICTS/DoJ would receive revenue from estate sales, although uncertainty over future real estate values means that this could not be estimated at this stage. Any sales would be subject to approval by the Department and DFP.

Costs

(i) To NICTS

22. NICTS would incur some one-off costs as a result of transferring work (e.g. portage for files etc). These costs are estimated at less than £10k.

23. Court staff have already been relocated to the main Divisional court office when the Hearing Centres were established and it is not therefore anticipated that there would be any additional costs in relation to the transfer of staff and their IT equipment.

(ii) To others

24. There may be a travel cost on court users. Fewer courts will increase journey times and courts for some court users including defendants, applicants/respondents, victims, witnesses, the legal profession and police. As discussed above, however, other court users may benefit from a reduction in travel time to the alternative court venue.

25. In addition, the consolidation of the court estate both in terms of function as well as location could mean that some court users will make fewer trips to court (e.g. PPS and defence solicitors may have to travel to court) thereby lessening the overall impact.

Small business impact test

26. A considerable proportion of solicitor practices in Northern Ireland are sole practitioner or small partnerships. The effect of the proposals on these firms in terms of additional travel time and costs is outlined above and, through the consultation exercise we will want to engage with these firms and their representative bodies to evaluate the impact of the proposed closures.

Summary and recommendation

27. The total cash costs and benefits of each option are summarised below.

	Total annual costs	Total annual benefits	Net annual benefit	Capital pressure avoided
Option 0	---	---	---	---
Option 1	£10,000	£402,400	£392,400	£3,007,000

28. The projected net annual economic benefit from Option 1 represents a considerable contribution towards the efficiency savings the NICTS is required to deliver. The closure of the Hearing Centres could also focus any available capital resource on other court venues.

29. There are a number of costs and benefits which we have been unable to quantify however we do not consider that these would be significant and therefore we recommend the implementation of Option 1.

List of Consultees

1. Age Concern Northern Ireland
2. Antrim & Ballymena Solicitors' Association
3. Belfast Solicitors Association
4. Catholic Bishops of Northern Ireland
5. Chief Constable Police Service of Northern Ireland
6. Children's Law Centre
7. Citizens Advice Bureau
8. Civil Law Reform Division
9. Committee on the Administration of Justice
10. Community Relations Council
11. Confederation of British Industry – Northern Ireland Branch
12. Cookstown Solicitors' Association
13. Council of District Judges (Magistrates' Courts) in Northern Ireland
14. Criminal Bar Association
15. Criminal Justice Inspection Northern Ireland
16. DGLS Ministry of Defence
17. Disability Action
18. District Judges' Association
19. Down and District Solicitors' Association
20. Eastern Health and Social Services Board
21. Equality Commission for Northern Ireland
22. Executive Ministers and Junior Ministers in the Northern Ireland Assembly
23. Executive Council of the Inn of Court of NI
24. Family Bar Association
25. Federation of Small Businesses
26. Food Standards Agency
27. Foyle Solicitors' Association
28. The General Bar Council of Northern Ireland
29. General Consumer Council for Northern Ireland
30. Green Party
31. Help The Aged
32. Her Majesty's Council of County Court Judges
33. Her Majesty's Revenue & Custom
34. High Court Judges
35. Human Rights Commission
36. Include Youth
37. Information Commissioners Office
38. Justices of the Peace (within the relevant petty sessions districts)
39. Lame Borough Council
40. Lame Harbour Police
41. Law Centre (Northern Ireland)
42. Law Society of Northern Ireland
43. Leaders of Parties and the Independent in the Northern Ireland Assembly
44. Legal Deposit Libraries
45. Limavady Borough Council
46. Limavady Solicitors' Association
47. Lord Chief Justice
48. Lord Justices of Appeal

49. Magherafelt District Council
50. Magherafelt Solicitors' Association
51. MPs/MEPs who are not party leaders or MLA's
52. Members of the Northern Ireland Assembly
53. NIACRO
54. NIC/ICTU
55. North Down Borough Council
56. North Down Solicitors' Association
57. Northern Health and Social Care Trust
58. Northern Health and Social Services Board
59. Northern Ireland Assembly Library
60. Northern Ireland Chamber of Commerce & Industry
61. Northern Ireland Chamber of Trade
62. Northern Ireland Commissioner for Children and Young People
63. Northern Ireland Council for Ethnic Minorities
64. Northern Ireland Council for Voluntary Action
65. Northern Ireland Courts & Tribunals Service
66. Northern Ireland Guardian Ad Litem Agency
67. Northern Ireland Judicial Appointments Commission
68. Northern Ireland Law Commission
69. Northern Ireland Lay Magistrates' Association
70. Northern Ireland Legal Services Commission
71. Northern Ireland Local Government Association
72. Northern Ireland Members of Parliament
73. Northern Ireland Office
74. Northern Ireland Ombudsman
75. Northern Ireland Parties not in the Northern Ireland Assembly
76. Northern Ireland Peers
77. Northern Ireland Policing Board
78. Northern Ireland Prison Service
79. Northern Ireland Public Service Alliance
80. North South Ministerial Council – NI Secretariat
81. NSPCC
82. Office of the First Minister and Deputy First Minister
83. Office of the Attorney General
84. Participation & the Practice of Rights Project
85. Participation Network
86. Police Federation
87. Prison Officers Association
88. Probation Board for Northern Ireland
89. Progressive Unionist Party
90. Public and Commercial Services Union (PCS)
91. Public Prosecution Service
92. Resource
93. Royal National Institute for Deaf People (Northern Ireland)
94. Royal National Institute for the Blind (Northern Ireland)
95. School of Law – The Queens University of Belfast
96. School of Law – University of Ulster
97. Society of Local Authority Chief Executives
98. Social Democratic and Labour Party
99. South Eastern Health and Social Care Trust
100. Speaker of the Northern Ireland Assembly

101. Strabane District Council
102. Strabane Ethnic Community Association
103. Strabane Solicitors' Association
104. The Rainbow Project
105. Traveller Movement (Northern Ireland)
106. Victim Support
107. Western Health and Social Care Trust
108. Western Health and Social Services Board
109. Women's Aid Federation Northern Ireland
110. Youth Council for Northern Ireland
111. Youth Justice Agency

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