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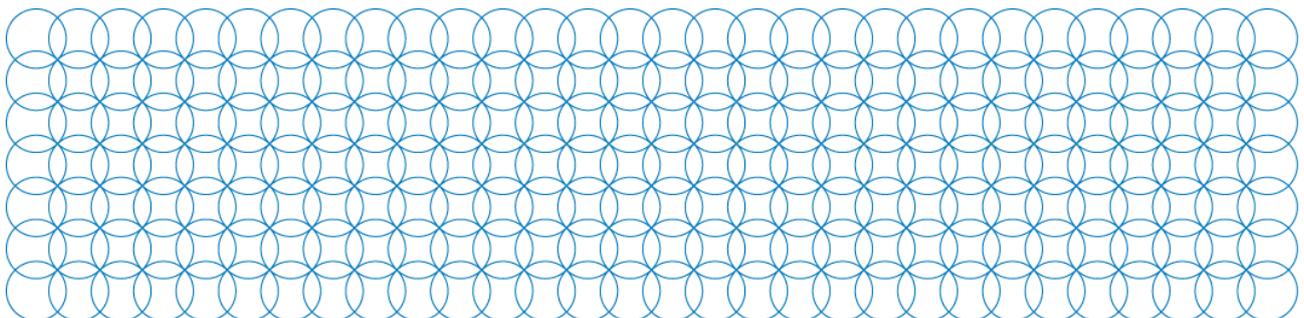


HM Courts &
Tribunals Service

Proposal on the future of Northallerton Magistrates' Court

This consultation begins on 18 January 2018

This consultation ends on 29 March 2018





Ministry
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Tribunals Service

Proposal on the future of Northallerton Magistrates' Court

**A consultation produced by the Ministry of Justice. It is also available on the
Ministry of Justice website at www.gov.uk/moj**

About this consultation

- To:** Court users, judiciary, magistracy, staff, criminal justice agency practitioners and elected representatives in North Yorkshire
- Duration:** From 18/01/18 to 29/03/18
- Enquiries (including requests for the paper in an alternative format) to:** HMCTS Consultation
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London
SW1H 9AJ

Email: estatesconsultation@hmcts.gsi.gov.uk
- How to respond:** Please send your response by 29/03/2018 to:

HMCTS Consultation
Post point 6.07
102 Petty France
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Email: estatesconsultation@hmcts.gsi.gov.uk
- Additional ways to feed in your views:** For further information please use the “Enquiries” contact details above.
- Response paper:** A response to this consultation exercise will be published at: www.gov.uk/moj

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Proposals on the future of Northallerton Magistrates' Court.

Foreword

We are modernising our justice system. HM Courts & Tribunals Service (HMCTS) is delivering a £1 billion programme of change that will fundamentally transform how justice is delivered. We intend to deliver the Government's vision to make our courts and tribunals responsive and in-tune to the demands of the 21st Century. To deliver this, we are updating our systems, reviewing our processes and improving our infrastructure.

Our services are better when we build them around the people who use them. This means that the way the justice system operates and the ways in which our users interact with it needs to be adaptable, convenient and effective. This is illustrated by the work we are doing to move our services online. Switching from slower, paper-based systems to the more efficient services that digital technology offers will improve the way we operate. We have, for example, launched pilots of straightforward new digital services in civil claims, divorce, probate, social security and child support and laid the key foundations of an online court. These advances provide the benefits of enhancing access to justice whilst also delivering value for money and enabling long-term efficiencies.

This process of modernisation includes our courts and tribunals estate. In 2015, HMCTS consulted on proposals to close courts and tribunals in England and Wales. The response to that consultation was published in February 2016 and it is expected that we will generate over £40 million in receipts through disposal of surplus properties, as well as operational savings of £29 million per year. This money is already being invested into our ongoing programme of modernisation.

HMCTS is now consulting on the proposed closure of Northallerton Magistrates' Court based on the same principles as set out in the 2015 consultation. The proposed relocation of the work from these courts has been carefully considered, along with the potential impact on court users, judiciary and staff. We welcome comments on the options proposed in this document before making a decision.

Alongside this consultation, HMCTS has published a national estates strategy consultation, seeking the views of all those interested in the future of the justice system to guide our future strategic decision making on estates transformation. There is still much we can do to improve and consolidate the court and tribunal estate. However, decisions on the proposed closure of Northallerton Magistrates' Court will be made on the basis of the principles set out in, and the responses to, this consultation.

The closures proposed in this consultation are made on the basis that the services provided by Northallerton Magistrates' Court can be delivered at other sites, which in turn would improve wider utilisation and the efficiency of the estate in North Yorkshire. Through the disposal of surplus properties, HMCTS can release funding which will be reinvested to improve its services. This consultation seeks the views of local users, judiciary, magistracy, staff, criminal justice agency practitioners and elected representatives to better understand the impact that this proposal would have within North Yorkshire.

Mark Swales
Delivery Director, HM Courts & Tribunals Service North East

Introduction

This paper sets out for consultation the proposal on the future of Northallerton Magistrates' Court, including the closure of the buildings and the work being absorbed by existing courts. The closures would also contribute to the consolidation of the North Yorkshire criminal court estate and, through disposal, provide funding for the ongoing process of reforming court and tribunal services in England and Wales. The consultation seeks the views of everyone with an interest in the work at these courts.

This consultation is being conducted in line with the Consultation Principles issued by the Cabinet Office and will run for 10 weeks.

Responses are welcomed from anyone with an interest in or views on the subject matter covered by this paper.

This consultation and the consultation stage Impact Assessment are also available at www.gov.uk/moj.

Background

Reform of HM Courts & Tribunals Service

There is a broad consensus that the current justice system needs radical change. Our reform programme is underway; a £1 billion transformation process that is radically reshaping how we think about our justice system.

We are reforming the courts and tribunals service to meet the needs of modern day users and continue to ensure access to justice. Digital technology, online services, flexible hearing centres and new business models will mean that fewer people will need to attend court for hearings. This means that we will need fewer buildings. We are keeping our estate under review to make sure it is the right size and in the right locations for our future service. This is the subject of the separate consultation "Fit for the Future – Transforming the Court and Tribunal Estate".

Reform of the court estate across England and Wales

In February 2016, the Government announced the outcome of a consultation on the provision of court and tribunal estate in England and Wales. The consultation put forward proposals to close those courts and tribunals that are underused, or that are simply unsuitable for the services we need to provide from them. The decision was made to close 86 courts and tribunals over a period of two years, which, together with integrations (merging courts in close proximity) will lead to the closure of 120 court and tribunal buildings. The proposals detailed in this paper are in addition to the closures that are already underway as a result of the announcement in February 2016. They have been put forward as a result of our further review of the estate, taking into account the same principles set out in the 2015 consultation.

In examining our court estate we need to make judgements about the most appropriate and cost-effective locations for our courts and tribunals, whilst ensuring we retain access to justice. We need the right courts and tribunals in the right places. The process of making decisions about our buildings means that we can ensure that our remaining estate is affordable to maintain and can be kept in the best possible condition. Where we consolidate the estate (either through closure or integration) we will reinvest in modernising our services.

Court estate in Yorkshire

This paper sets out the proposal to close and sell Northallerton Magistrates' Court in order to consolidate and improve the efficiency of courts in the area. Proceeds from the sale of this building would form part of the larger £1 billion investment in the process of reforming court and tribunal services throughout the country, as well as improving the efficiency of the court estate in North Yorkshire.

There are five magistrates' courts currently situated in North Yorkshire. These are located at York, Skipton, Harrogate, Northallerton and Scarborough.

Deciding which courts to include in the proposals

In the national consultation published in 2015 we set out the HMCTS estates principles which guide our decision-making regarding the location, size and capabilities of our court and tribunal buildings. To ensure we deliver business effectively and meet future strategic requirements, HMCTS has applied these same principles to develop the proposals in this consultation.

The proposals included in this consultation are intended to consolidate the magistrates' court estate in North Yorkshire, thus improving efficiency, reducing operating costs and releasing value from our freehold estate. The principles, together with the responses to this consultation, will guide our decision regarding the closure of this court and also any replacement provision which may be required.

The principles are:

Ensuring access to justice

- To ensure continued access to justice when assessing the impact of possible closures on both professional and public court and tribunal users, taking into account journey times for users, the challenges of rural access and any mitigating action, including having facilities at local civic centres and other buildings to ensure local access, modern ICT and more flexible listing, when journeys will be significantly increased.
- To take into account the needs of users and in particular, victims, witnesses and those who are vulnerable.
- To support the requirements of other agencies such as the CPS, social services, police forces and Cafcass.

Delivering value for money

- To reduce the current and future cost of running the estate
- To maximise the capital receipts from surplus estate for reinvestment in HMCTS.

Enabling efficiency in the longer term

- To reduce the reliance on buildings with poor facilities and to remove from the estate buildings that are difficult and expensive either to improve or to upgrade.
- To move towards an estate with buildings which are larger and facilitate the more efficient and flexible listing of court and tribunal business whilst also giving users more certainty when their cases will be heard.
- To increase the ability to use the estate flexibly across the criminal jurisdiction and separately across the civil, family and tribunal jurisdictions.
- To move towards an estate that provides dedicated hearing centres, seeking opportunities to concentrate back office function where they can be carried out most efficiently.
- To improve the efficient use of the estate by seeking to improve whole system efficiency, taking advantage of modernised communication methods (Wi-Fi and video links) and adopting business processes to increase efficiency and effectiveness.

- To increase the efficient use of the estate wherever possible irrespective of current administrative boundaries.

North Yorkshire criminal estate capacity

The courts included in this consultation have been identified by applying the principles above to our estate in Yorkshire. Work from these sites can be relocated to other sites within a reasonable travelling distance, thus saving considerable operating and maintenance costs. They present an opportunity to achieve capital receipts which can be reinvested in the reform of our courts and tribunals system. Furthermore, by consolidating our estate and operating from fewer sites there is an opportunity for HMCTS to improve the effectiveness and efficiency of our services. Fewer buildings means that HMCTS and its partners' resources are spread less thinly. In addition, there is the opportunity to list cases more efficiently, which will in turn result in fewer empty courtrooms.

While the provision and location of court buildings is a government function, the listing of court work is a judicial responsibility. We will engage with the relevant judicial business groups to agree any redistribution of work, should the closure take place.

The proposals

This consultation proposes that Northallerton Magistrates' Court is closed.

The workload of the court proposed for closure would be distributed to other magistrates' courts in North Yorkshire and Teesside. There is ample accommodation for staff and hearings at proposed receiving sites. This would be achieved by utilising spare capacity, including creating space by more effective use of hearing rooms. The reallocation would enable savings to the cost of our overall estate and help to achieve value for money for the taxpayer.

When considering responses to this consultation and making decisions regarding the future of these courts, Ministers will consider whether effective access to justice can be maintained, whether the closure offers value for money and whether it will enable the long-term efficiency of the court service. Only when these principles have been met, will a decision be made to close a court.

We consider that sufficient capacity exists within the North Yorkshire and Teesside criminal estate to accommodate the workload from Northallerton Magistrates' Court.

Northallerton Magistrates' Court

Proposal

Northallerton Magistrates' Court is one of five magistrates' courts operating in North Yorkshire; the others are at York, Harrogate, Skipton and Scarborough. It deals with criminal bail work in the adult court. Custody cases are centralised and dealt with at York Magistrates' Court, whilst youth work has recently been centralised in North Yorkshire and is dealt with at Harrogate Magistrates' Court. Family hearings are not routinely dealt with at Northallerton, with public and private law work dealt with at York County Court. Northallerton Magistrates' Court has low usage and does not meet the standards of a modern court house.

It is proposed that Northallerton Magistrates' Court closes and the work currently dealt with at the site be transferred to:

- York Magistrates' Court;
- Harrogate Magistrates' Court;
- Skipton Magistrates' Court; and
- Teesside Magistrates' Court.

The exact site at which the current workload of Northallerton could be heard would be determined by using postcode data. Northallerton currently services a rural area and it is acknowledged that there are some long journey times for users of this court, particularly via public transport. It is for this reason that four receiving sites are being considered; our analysis has shown that, in some cases, exiting Northallerton Magistrates' Court would decrease journey times for users (see table below).

The closure of Northallerton Magistrates' Court would enable the workload in some cases to be moved to larger court centres and be more responsive and flexible with the listing of cases meeting workflow demands more effectively. An improved and more efficient service can be delivered. The closure of Northallerton Magistrates' Court would provide operational savings for HMCTS, which, together with the proceeds from the sale of the building could be reinvested to maintain and improve HMCTS services.

There is sufficient capacity at all the proposed receiving sites to meet the current and anticipated workload demand from Northallerton and it is envisaged that no enabling works would be required to accommodate the additional hearings. All the receiving sites provide an acceptable standard of accommodation and facilities, whilst Teesside Magistrates' Court, Harrogate Magistrates' Court (Harrogate Justice Centre) and Skipton Magistrates' and County Court offer particularly good quality facilities.

Should this proposal go ahead, the Judicial Business Group (JBG) would undertake local stakeholder engagement to consider how this would work in practice, within the existing Local Justice Area (LJA) boundaries between North Yorkshire and Cleveland.

We would welcome views on:

- i) whether we should close Northallerton Magistrates' Court;
- ii) if we close Northallerton Magistrates' Court, the proposed options for reallocating the work as set out above; and
- iii) what other options you think might work.

Accommodation

Northallerton Magistrates' Court



Northallerton Magistrates' Court is a freehold building which opened in 1937 and is located just outside of the town centre, opposite the County Hall on a residential street. Given the age of the building, the facilities offered are out of date, neither modern nor fit for current or future purposes. The court has three court/hearing rooms; there are eight cells in the building with access to two of the three courtrooms.

Northallerton Magistrates' Court operates a counter system, with opening hours of 9am to 5pm. The court has separate waiting facilities for prosecution witnesses but no separate waiting facilities for defence witnesses. There are three interview rooms available for private consultation. The court has prison to court video link and has facilities for vulnerable witnesses to give evidence via video link to one courtroom; this service is available and can be offered at all receiving sites. The court has disabled access.

Teesside Magistrates' Court



Teesside Magistrates' Court was built in the centre of Middlesbrough in 1973. It is a large 16 court hearing centre with cells, offering good facilities on site including video link and refreshments which are available from a small voluntary run café. There is adequate disabled access and accompanying facilities, along with an Equality Act compliant hearing room.

Harrogate Magistrates' Court



Harrogate Magistrates' Court has four courtrooms and is contained within Harrogate Justice Centre. It is a modern building located centrally and was built in 1991. There are cells on site which are used to deal with Youth hearings (centralised at this site). Use for adult cases is infrequent due to all remand hearings being centralised at York Magistrates' Court. A video link facility is available for court users. Disabled access and facilities are available on site.

Skipton Magistrates' and County Court



Skipton Magistrates' and County Court is a modern building which houses two courtrooms, is centrally located and was built in 1973. There are cells on site although they are used infrequently due to remand hearings being centralised at York Magistrates' Court. Video link facilities are available for court users. Disabled access and facilities are available on site.

York Magistrates' Court



York Magistrates' Court contains four courtrooms and was built in 1891. The building itself is listed but offers adequate facilities, including cells and a video link; North Yorkshire remand hearings are centralised and dealt with at this site. Disabled access to the hearings rooms is via a staff-assisted lift.

Workload

During the 2016/17 financial year, Northallerton Magistrates' Court sat for a total of 1,474 hours out of a possible 3,810 available hours.

At the four proposed receiving sites, during the 2016/17 financial year, the total sitting hours were as follows:

York Magistrates' Court sat for 2,192 hours out of a possible 5,080 available hours;

Harrogate Magistrates' Court (Harrogate Justice Centre) sat for 2,266 hours out of a possible 5,080 available hours;

Skipton Magistrates' and County Court sat for 1,555 hours out of a possible 3,810 available hours; and

Teesside Magistrates' Court sat for 12,128 hours out of a possible 20,468 available hours.

Staff

There are four members of staff based at Northallerton Magistrates' Court with approximately four others who use this as a base location but work across other sites within North Yorkshire. In addition, there are six enforcement staff at the site.

Operating costs

During the 2016/17 financial year, operating costs of Northallerton Magistrates' Court were approximately £140,000.

Other information

The Crown Prosecution Service and Citizens Advice Witness Service have rooms allocated in the building. Alternative arrangements would be made should the decision to close the court be taken.

HMCTS was informed that following a pilot, the existing Police Custody facility at Northallerton will officially close on 31 October 2017 and the Police Station building will be sold by North Yorkshire Police.

Proposals on the future of Northallerton Magistrates' Court.

Northallerton is situated 23 miles from Teesside, 32 miles from York, 32 miles from Harrogate and 46 miles from Skipton. There are good road, rail and bus links to both Teesside and York. A full breakdown and analysis of journey times is included in the tables below.

Travel Time Analysis

Our analysis of travel times compares the current journey times (to the court proposed for closure) with the future journey times from those same towns to the courts that are proposed to receive the workload. In each instance the journey time is assumed to begin at 8am, with travel from town centre to receiving court. Destinations have been selected based on listing arrangements and the largest areas (by population) having work currently heard at the court proposed for closure.¹

¹ Journey times calculated using Google Maps. Other navigation systems may provide different results and travel time will vary subject to local traffic conditions.

Destination	Travel ²	Departure Town/District						
		Richmond (pop. 21,469)	Ripon (pop. 16,702)	Bedale (pop. 4,530)	Sowerby (pop. 4,249)	Leyburn (pop. 2,183)	Hawes (pop. 1,180)	Northallerton (pop. 16,832)
Northallerton (proposed site for closure)	Miles	19.3	16.9	7.9	9.9	18.2	34.7	0
	Car	30 mins	35 mins	17 mins	16 mins	35 mins	1 hr	0
	Public Transport	1 hr	1 hr	21 mins	34 mins	51 mins	2 hrs 12	0
Proposed Receiving Sites								
Teesside	Miles	28.1	38.1	31.5	27.4	39.7	54.7	22.5
	Car	45 mins	55 mins	55 mins	37 mins	1 hr 5	1 hr 30	37 mins
	Public Transport	2 hr 22	2 hr 6	1 hr 15	1 hr 21	1 hr 45	3 hrs 6	40 mins
York	Miles	50.5	26.3	38.4	23.5	48.1	64.6	32
	Car	1 hr 15	57 mins	1 hr 3	50 mins	1 hr 17	1 hr 41	1 hr
	Public Transport	2 hr 20	1 hr 22	1 hr 7	1 hr 3	1 hr 52	3 hrs 17	39 mins
Harrogate	Miles	40.5	12.3	28.5	22.2	38.1	48.3	28.8
	Car	1 hr 15	33 mins	53 mins	48 mins	1 hr 2	1 hr 30	57 mins
	Public Transport	3 hr 22	46 mins	2 hr 14	2 hrs 7	1 hr 53	3 hr 9	1 hr 43
Skipton	Miles	58.6	30.4	45.3	41.3	34.6	29.9	46.8
	Car	1 hr 30	57 mins	1 hr 12	1 hr 7	1 hr 10	1 hr 10	1 hr 17
	Public Transport	3 hrs 31	2 hrs 45	2 hr 33	2 hr 20	2 hrs 53	1 hr 32	1 hr 59

² Fastest travel time is shaded.

The impact of this proposal

This consultation is accompanied by an Impact Assessment. This includes further information about the way in which we have estimated the likely impact of the proposals detailed in this document.

An Equality Statement is provided at Annex A. Our initial assessment is that the proposal is not discriminatory within the meaning of the Equality Act 2010 as it applies equally to all persons affected by the changes included in this document. We do not consider that the proposal would result in people being treated less favourably because of any protected characteristic.

In terms of the possibility of indirect discrimination, HMCTS consider that the closure of Northallerton Magistrates' Court may put at a disadvantage those with the protected characteristics of disability, pregnancy or maternity because of difficulties to the extent that they need to travel further (some users may conversely travel shorter distances). However, HMCTS consider that this option is a proportionate means of achieving a legitimate aim as explained in more detail in the Equality statement.

Both the Impact Assessment and the Equality Statement will be updated following analysis of the responses to this consultation.

We will work with the Departmental Trade Unions throughout the consultation period to understand the potential impact on our staff, which will feed into the decision-making process. At the same time, our staff will also have an opportunity to put forward their views through the formal consultation process.

HMCTS complies fully with equality legislation and codes of practice.

Questionnaire

We would welcome responses to the following questions set out in this consultation paper.

1. Northallerton Magistrates' Court:
 - a. Do you agree with our proposals to close Northallerton Magistrates' Court?
 - b. If we close Northallerton Magistrates' Court what are your views on the proposed options for re-allocating the work?
 - c. What other options do you think might work?
 - d. Would these closure and re-allocation proposals have any particular impacts for you or any group you represent?
2. Do you think our proposals could be extended to include other courts?
3. Do you have any further suggestions for improving the efficiency of the criminal court estate in the North East?
4. Do you think we have correctly identified the range and extent of the equality impacts? Do you have any other evidence or information concerning equalities that you think we should consider?

Thank you for participating in this consultation exercise.

Annex A Equality Statement for North East Region

Equality impacts

1. Section 149 of the Equality Act 2010 ("the EA") requires Ministers and the Department, when exercising their functions, to have 'due regard' to the need to:
 - Eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act (EA);
 - Advance equality of opportunity between different groups (those who share a relevant protected characteristic and those who do not); and
 - Foster good relations between different groups (those who share a relevant protected characteristic and those who do not).
2. Paying 'due regard' needs to be considered against the nine "protected characteristics" under the EA – namely race, sex, disability, sexual orientation, religion and belief, age, marriage and civil partnership, gender reassignment, pregnancy and maternity.
3. The Ministry of Justice (MoJ) and its Ministers have a legal duty to consider how the proposed policy proposals are likely to impact on the protected characteristics and take proportionate steps to mitigate or justify the most negative ones and advance the positive ones.

Direct Discrimination

4. Our initial assessment is that the policy is not directly discriminatory within the meaning of the EA as it applies equally to all persons affected by this proposal; we do not consider that the policy proposal would result in people being treated less favourably because of any protected characteristic.

Indirect Discrimination

5. Amongst court users, some groups of people with protected characteristics, as explained below, are over-represented when compared to the local general population. However, even if it were established that in some cases (for example, the length of journey time to court) these effects constituted a particular disadvantage, implementation of the proposals represent a proportionate means of achieving the legitimate aims of court reform and efficiency.
6. Our approach has been to identify groups of people with protected characteristics and compare them to the court user population in the North East region. This approach allows us to identify whether any particular groups of people are likely to be disadvantaged by the proposals. Due to limitations in the available data on HMCTS users, we have made the assumption that they are representative of the general population of the region.

Protected characteristics with no impacts

7. We do not consider that the proposal would result in any particular disadvantage for people with the protected characteristics of sex, age, race or religion, sexual orientation, gender reassignment or marriage and civil partnership.
8. We have assessed the available data on the characteristics of sex, disability, race and religion. Our current assessment is that there is some over-representation of those of a White race in the area local to the court whose closures is being consulted upon (98% in Northallerton) when compared to the general population of the North-East region (91%). There is also an over-representation of those of Christian religion (73%) when compared to the general population (62%). Furthermore, there is a slight over-representation of those from the 65+ age group (22%) when compared with the North East population (17%)
9. The evidence set out in Table 1 shows the data we currently have on the protected characteristics of court users at the court being considered by the proposals. Although there is some over-representation we do not consider that this would result in any particular disadvantage for people with the protected characteristics of sex, race or religion. Furthermore, we do not consider that the closures will have a greater impact on these particular groups when compared to the region's population as a whole. Nonetheless we will continue to assess the impacts of these proposals on affected groups who share protected characteristics, paying particular regard to any equality impacts identified in the responses to consultation.
10. Due to limitations in the available data we have been unable to assess the extent of impacts on the remaining protected characteristics of sexual orientation, gender reassignment, marriage and civil partnership and pregnancy and maternity. Having considered the impact of the proposals on the groups for which limited data is available, we have not identified any direct or indirect discrimination arising from the planned closures. Nonetheless, we will continue to assess the impacts of these proposals, paying particular regard to any equality impacts identified in the responses to consultation.

Protected characteristics with impacts

11. We recognise that the need to travel further (either by car or by public transport) is likely to have greater impacts on people with disabilities and pregnant women. Available data suggests that there is no over-representation of people with disabilities in the areas local to the court being considered for closure. There is no available data to suggest that there are more pregnant women in the areas local to this court compared to the North East population as a whole.
12. In so far as this policy extends to people with disabilities and pregnant women, we believe that the potential impact is proportionate having regard to the aim of the policy. The closure of the proposed court will impact a small number of users and the savings and efficiency achieved as a result of the closures will contribute to a better service overall for users. It remains important to make reasonable adjustments for people of disability to ensure appropriate support is given.
13. The potential for greater impacts for disabled and pregnant women has been treated as a significant factor when assessing the proportionality of the proposals and will be reconsidered before any final decision is taken.

Harassment and victimisation

14. We do not consider there to be a risk of harassment or victimisation as a result of these proposals.

Advancing equality of opportunity

15. Consideration has been given to how these proposals impact on the duty to advance equality of opportunity by meeting the needs of court users who share a particular characteristic, where those needs are different from the need of those who do not share that particular characteristic. Reducing the reliance on HMCTS buildings with poor facilities to take advantage of a more modernised estate with better communication methods will help to generate a positive impact on all users, especially people with disabilities.

Fostering good relations

16. Consideration has been given to this objective that indicates it is unlikely to be of particular relevance to the proposals.

Court users

17. We have explored the likely equality impacts on court users by drawing comparisons between the populations local to the proposed closures and the population of the North East region.³
18. No comprehensive information is held on the protected characteristics of HMCTS users. In this assessment, we have assumed that all court users are representative of the general population from which they are drawn, using data from the 2011 Census. We have compared the protected characteristics of this population with the populations in the appropriate local authority areas.

³ Data is collected from the 2011 Census at a district level.

Table 1: The protected characteristics of those impacted by the proposals

		Local population			North East population
		<i>Crown court</i>	<i>Magistrates' Court Northallerton Magistrates' Court</i>	<i>County court</i>	
Site closures		0	1	0	1
Gender	Male	N/A	49%	N/A	49%
	Female	N/A	51%	N/A	51%
Age	0-15	N/A	17%	N/A	19%
	16-64	N/A	61%	N/A	65%
	65+	N/A	22%	N/A	17%
Disability	Disability	N/A	17%	N/A	20%
	No disability	N/A	83%	N/A	80%
Race	White	N/A	98%	N/A	91%
	Mixed	N/A	1%	N/A	1%
	Asian	N/A	1%	N/A	5%
	Black	N/A	0%	N/A	1%
	Other	N/A	0%	N/A	1%
Religion	Christian	N/A	73%	N/A	62%
	Buddhist	N/A	0%	N/A	0%
	Hindu	N/A	0%	N/A	0%
	Jewish	N/A	0%	N/A	0%
	Muslim	N/A	0%	N/A	5%
	Sikh	N/A	0%	N/A	0%
	Other religion	N/A	0%	N/A	0%
	No religion	N/A	20%	N/A	25%
	Religion not stated	N/A	7%	N/A	7%

Defendants, victims and witnesses

- The Ministry of Justice publications, *Race and the Criminal Justice System 2012* and *Women and the Criminal Justice System 2013*, show the race and gender profile of court users and those in the Criminal Justice system at a national level. They show that men and those from a Black ethnic group are over-represented amongst defendants in the criminal courts when compared to the general population from which they are drawn. Data for those sentenced in both the Crown and magistrates' courts in 2012 to 2013 confirm that:

Proposals on the future of Northallerton Magistrates' Court.

- Men are over-represented amongst those sentenced to immediate custody compared to the general population aged 10 years and older (92% compared to 49%)
 - Those from the Black ethnic group are also over-represented amongst those sentenced compared to the general population aged 10 years and older (8% compared to 3%)
20. There is no comprehensive source of data on the protected characteristics of victims and witnesses who may use the criminal courts. However, the Crime Survey for England and Wales (2013/14) shows that the following groups of people are over-represented as victims of crime when compared to all those surveyed:
- Those aged 16 to 24 (25% of all victims compared to 12% of all those surveyed)
 - 19% of Non-White adults have been a victim of crime, compared to 17% of White adults.
21. Whilst groups of people sharing particular protected characteristics may be over-represented amongst victims, we are unable to quantify whether such over-representation extends to victims and witnesses who use the criminal courts. Conclusions on how different groups of victims and witnesses may be impacted by the proposals therefore remain tentative.

Impact on Magistrates

22. HMCTS HR data show that magistrates are older and more likely to be of White ethnicity than the general population of England and Wales from which they are drawn. Data for 31 March 2011 confirm that:
- Younger magistrates are under-represented: 18% of serving magistrates were 49 or under, 30% were aged 50-59 and 52% aged 60 and over. Figures for the general population (aged 18-70) are 66%, 18% and 16% respectively.
 - Those of Black, Asian and Minority Ethnic (BAME) ethnicity were similarly under-represented: 8% of serving magistrates in England and Wales declared themselves to be from a BAME background. This compares with the most recent estimate that BAME groups represent 14% of the general population (all ages).
 - Disabled magistrates were also under-represented: 5% of serving magistrates in England and Wales consider themselves to have a disability, whilst 18% of the general population (all ages) consider themselves to have a long-term health problem or disability that limits daily activity a lot or a little. The differences in the definitions of disability are acknowledged.
 - In line with the general population 51% of serving magistrates in England and Wales were female.

Other Impacted Groups

23. Other groups potentially impacted by the proposed closures include the judiciary and legal professionals. Statistics from the Judicial Office⁴ show that male judges, those of White ethnicity and those aged 50 years and older are over-represented compared to the general population. The practising bar and practising solicitors are more diverse, though men remain over-represented in both professions^{5,6}.
24. With regards to other HMCTS staff, equality assessments will be carried out by HMCTS HR at the Business Unit level and the impact on protected characteristics will be fully assessed once the impact on individuals at each site under Option 1 has been assigned.

Mitigations

25. We recognise that as courts close we need to continue to modernise and improve the way we deliver front line services. We also need to continue to provide reasonable adjustments for court users to ensure access to justice is maintained. There are a number of mitigations that we are either considering (or are already in place) that will help to minimise the impact of court closures on court users, including:
 - All guidance material, together with information about particular processes, are made available online through GOV.UK and the Justice website. This would include: the location, directions to and available facilities of the relevant court or tribunal, mediation, how to make a claim, how to appeal, and how to make a complaint. In addition, these websites provide useful links and signposts users to related websites such as: Resolution, National Family Mediation, Community Legal Advice, Citizens Advice, Consumer Direct, Ofcom and Ofgem amongst others. Public information is reviewed as necessary.
 - Provision of business and contact centres for some services (e.g. County Court Money Claims Centre) mean that services can be accessed by post and phone until the hearing (if a hearing is required).
 - Online services, such as Money Claims Online and Possession Claims Online allow online access to services up to the hearing stage (if required).
 - Alternative Dispute Resolution is promoted where appropriate which reduces reliance on court hearings
 - Reasonable disability adjustments are undertaken in courts in accordance with the existing reasonable disability adjustments policy. Guidance is available to all staff, including a central advice point.
 - Video links for criminal courts are used as follows:
 - Prosecution and defence witnesses can use live links to give evidence in trials. These links operate in nine Criminal Justice System (CJS) areas, with more expected to be set up this year.

⁴ <https://www.judiciary.gov.uk/publications/judicial-statistics-2017/>

⁵ <http://www.barcouncil.org.uk/about-the-bar/facts-and-figures/statistics/>

⁶ <http://www.lawsociety.org.uk/representation/research-trends/annual-statistical-reports/>

Proposals on the future of Northallerton Magistrates' Court.

- Virtual courts are set up in four areas for preliminary hearings. Defendants appear from the police station at the magistrates' court by video link.
- Prison to court video links allow defendants to appear from custody in magistrates' courts.
- Additional video links are available at the court to allow vulnerable witnesses to give evidence without facing the defendant where this is in the interests of justice.
- Later starts times can be considered for hearings if a customer notifies the hearing centre that travel is problematic.

Conclusions

26. Those living in the areas affected by the court closures will be within an acceptable travelling distance of the court where the work is transferred to. This means that users will still be have reasonable journeys to court to attend hearings, including by public transport.
27. Although increased journeys have the potential to impact some people with protected characteristics, the impact is expected to be limited and justified in the context of the aim of the policy, and given the mitigations set out below of other ways to access services. Many of the services traditionally accessed by face to face visits to court are being offered online. Some court hearings can also be conducted via telephone or video link and court users are being offered local alternatives to court hearings (mediation). All of these measures are reducing the need to travel to court buildings to access HMCTS services.
28. For those that still need to attend courts, reasonable disability adjustments are offered and other measures such as later court hearing start times will minimise impacts for those with transport difficulties.
29. In the long-term, the savings and any capital receipts generating from the closure will contribute towards the overall funding of the reform of HMCTS including any necessary improvements at the receiving courts. Overall therefore we consider that the proposed closure Northallerton Magistrates' Court and any resulting impacts are a proportionate means of achieving the legitimate aim of a modernised, efficient court and tribunal service.

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (e.g. member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details/How to respond

Please send your response by 29/03/2018 to:

**HMCTS Consultation
Post point 6.07:**

**102 Petty France
London
SW1H 9AJ**

Email: estatesconsultation@hmcts.gsi.gov.uk

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available on-line at www.gov.uk/moj.

Alternative format versions of this publication can be requested from the Ministry of Justice (please see details above).

Publication of response

A paper summarising the responses to this consultation will be published at www.gov.uk/moj

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry.

The Ministry will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Impact Assessment

The Impact Assessment will be published separately and can be accessed here:
<https://consult.justice.gov.uk/digital-communications/northallerton-magistrates-court-future-proposal>

Consultation principles

The principles that Government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the consultation principles.

<http://www.cabinetoffice.gov.uk/sites/default/files/resources/Consultation-Principles.pdf>

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