

**The Welsh Government's Response  
to the UK Government's Consultation on  
HM Courts and Tribunals Service  
Reform**

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## Summary

1. Proposed court closures in Wales will have a greater impact on **increased journey times and costs** than is the case for English regions. Journeys between towns to the next closest court are generally further away. Service accessibility data used by the Welsh Government sets out that reasonable access to services is considered to be within 60 minutes travel time by public transport and car. Communities currently serviced by the courts in a number of towns will be affected by unreasonable and in some cases unacceptable increases in journey times and increased costs, which may become a barrier for court users. Specifically, Dolgellau, Holyhead, Llangefni, Prestatyn, Bridgend, Carmarthen and Brecon.
2. The Welsh Index of Multiple Deprivation 2011 (WIMD) is the official measure of deprivation for areas in Wales. **Annex A** outlines relevant WIMD considerations in respect of households in areas affected by court closures. Specifically Holyhead and Prestatyn have areas that have higher than average levels of community safety deprivation. Car ownership is lower than the Welsh average for households in Holyhead Town and Carmarthen Town.
3. **Access to court services** can be a particular factor in the outcome for certain types of proceedings. Evidence indicates that for certain cases, such as housing repossession, there is a better outcome for defendants where they participate in proceedings. Failure of litigants to attend court results in wasted time and associated costs for organisations involved with justice administration.
4. Similarly, organisations involved in administering justice will also be affected by increased journey times to access court which will result in a relative increase in travel costs and pressure on resources. Local government may need to provide financial assistance to enable court users to travel to attend court. Private legal sector firms are also likely to be affected, particularly those located in towns where the only court will close.
5. Proposed closures may impact on **local administration of justice**, particularly where there would no longer be a court building in the town. Ensuring administration of justice is connected with other local services and service providers may be problematic given proposed arrangements to transfer court work to a number of receiving courts disparately outside of local authority boundaries.
6. The proposed **transfer of court work** to centralised receiving sites may impact on court processing times and speed of resolution. **Co-location of court work** will require physical separation of access to court buildings and proceedings and renaming of sites. Specifically Caernarfon Criminal Justice Centre and Port Talbot Justice Centre.
7. It is not clear how the strategic objective of the reform programme, to provide **alternative ways for the public and other court users to access the justice system**, might reduce the impact of closures. The consultation and impact assessment contains little information or analysis about proposed digitised services and use of alternative venues.

8. Overall there are significant **gaps in the impact assessment**. There are only two options presented, do nothing and the preferred option. It is not clear what alternative options and the relative costs and benefits have been considered.
9. The impact assessment presents a high level analysis of the impact for the whole of England and Wales. As a result it is not possible to determine the likely net impact in Wales.
10. Travel time and costs are not fully quantified, analysis relied on by HMCTS seems to be based on questionnaires as oppose to the more robust Geographical Information System (GIS) modelling approach that is generally relied on by the Welsh Government. Also some journey fares have been quoted but there is limited detail of the calculations and limited analysis of the scheduling of public transport services in rural areas and the cost impact should there be a need for additional subsidised transport services.
11. There is little analysis as to the impact on public sector funded and sponsored organisations and small firms. No consideration or analysis is given in respect of the wide range of third sector organisations and not-for-profit advice providers who support and represent people involved in civil and criminal proceedings.
12. There are also key uncertainties that may impact significantly on the analysis relating to the **disposal of the HMCTS estate**. In particular the net profit value from sales, whether capital receipts would be reinvested into areas of greatest need, the distinct market forces in rural and valley areas of Wales and the potential for achieving a sale or new lease agreement for purpose built court premises.
13. There is little information about the impact on **HMCTS staff** located at courts proposed for closure. We estimate about 61 posts will be affected.
14. The proposals do not provide any analysis or consideration of the **Welsh language needs** of the population and service providers in Wales, a significant gap especially given the Welsh Language Act 1993 provides that Welsh can be used in any legal proceedings in Wales. There appears to have been no regard for the HMCTS Welsh Language Scheme which sets out a commitment that when developing new policies or considering the impact of Government policies and initiatives in Wales HMCTS will have full regard to their consequences on the use of the Welsh language.
15. The proposals need to be considered in the context of other **UK Government reforms of the justice system** and the cumulative impact on access to the justice system. In particular increased and enhanced court and tribunal fees, proposed changes to funding of judicial review applications and deep cuts to legal aid which has also seen whole categories removed from scope of legal aid.

**Full response to consultation questions is as follows:**

**Do you agree with the proposals? What overall comments would you like to make on the proposals?**

**Access to court services and the justice system**

16. The natural topography of Wales means that many rural and valley communities are situated in areas which are remote and where roads and transport infrastructure is influenced by the terrain. As such, and as highlighted in the impact assessment in the consultation paper (para 143), court closures in Wales would have a more significant impact on travel times as distances between communities and towns to the next closest court are longer than is the case for English regions of HM Courts and Tribunals Service (HMCTS).
17. It is important that people living in Wales do not face additional barriers and burdens to accessing court services and the justice system. Increased travel times to access a court would mean that the journey for people living in rural and Valley communities in Wales would take much longer and would therefore be more difficult and more costly than is the case for HMCTS regions in England.
18. Any rationalisation of the HMCTS estate must not compromise accessibility to court services. The Welsh Government disagrees with the extent and scale of the proposed rationalisation and closure of courts in Wales. Communities serviced by courts in Holyhead, Llangefni, Prestatyn, Dolgellau, Carmarthen, Bridgend and Brecon would be significantly disadvantaged by unreasonable increases in journey times which conflicts with a key principle of the reform programme to ensure continued access to justice. The proposals to close courts in those communities do not appear to give due consideration to the needs of vulnerable people and communities situated in the rural and Valley areas of Wales.
19. As set out in detail in the section on increased journey times, the proposed closures of the courts in Holyhead, Dolgellau, Prestatyn, Carmarthen, Bridgend and Brecon would, if implemented, increase journey times for people living in these communities to an unreasonable level: in many cases in excess of 1 hour and in some cases to 2 hours or more, which is unacceptable. Such significantly increased journey times would place additional burdens on people living in these communities who need to access court services as parties and witnesses to proceedings and would act as a significant barrier to attending court and accessing justice.
20. Many court users are amongst the most vulnerable members of society, such as victims of crime and people with mental health issues. Increased travel distances resulting in unreasonable increases in both journey times and cost would place unnecessary added stress and burden on vulnerable court users and their families.

21. There is evidence that attendance at court for certain types of civil proceedings often results in a more favourable outcome for the defendant. For instance, there is evidence defendants in housing possession cases achieve better outcomes where they attend the hearing of proceedings, whereas fewer than 40%<sup>1</sup> of defendants currently attend court. This has significant impacts in Wales when mortgage and rent possession actions affect more than 2,000 families annually. Increasing journey times to unreasonable levels through court closures would further deter or prevent defendants from attending court, which would reduce their access to justice and the potential to realise a more favourable outcome of their case.
22. Proposals could also have implications for access to administrative justice proceedings in tribunals. For instance the new devolved taxes coming into effect in April 2018, where it is proposed that taxpayers will have the right of appeal to the First-tier Tribunal on certain Welsh Revenue Authority decisions.

### **Increased journey times**

23. Proposals to close certain courts have a significant and in some cases very significant impact on the ability of citizens of Wales to get to and from court by public and private transport in a reasonable time. A reasonable journey time for accessing public services by public and private transport is within 60 minutes, as evidenced in the supporting documentation and used as an evidence base for the Welsh Government's National Transport Finance Plan. The Welsh Government's view, is that journey times exceeding 60 minutes for accessing [public services are not reasonable and those exceeding 120 minutes are unacceptable.
24. The HMCTS data on travel times is the only data currently available. Whilst HMCTS flag up travel concerns about certain court closures the travel time analysis and data relied on by HMCTS in its consultation document seems to be based on analysing questionnaires rather than the more robust Geographical Information System (GIS) modelling approach that the Welsh Government uses. The data provided in the consultation paper is unreliable due to gaps where there is a significant percentage of no data for journey times for people. For example, for Dolgellau the percentage of people that would have to travel over 2 hours to access a magistrate court is stated as 19%. However, there are 67% of people where no data is available.
25. The ability of persons to use public transport services to attend court early in the day has not been addressed. In rural areas the availability of frequent or early bus services may be an issue.

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<sup>1</sup> Information, Advice and Representation in Housing Possession Cases' study, Bright and Whithouse, University of Oxford and University of Hull, 2014, accessed September 2015, [https://test-intranet.law.ox.ac.uk/ckfinder/userfiles/files/Housing\\_Possession\\_Report\\_April2014.pdf](https://test-intranet.law.ox.ac.uk/ckfinder/userfiles/files/Housing_Possession_Report_April2014.pdf)

26. The Welsh Index of Multiple Deprivation 2011 (WIMD) is the official measure of deprivation for areas in Wales, **Annex A** outlines WIMD issues that are relevant to the households in areas affected by court closures. Important factors that must be considered include for instance Holyhead and Prestatyn which have areas that have higher than average levels of community safety deprivation. Car ownership is lower than average for households in Holyhead Town and Carmarthen Town.

### ***North Wales***

27. If the proposals are implemented, Magistrates' Courts would be located at Caernarfon, Llandudno, Mold and Wrexham. County Courts and Family Courts would be located at Caernarfon, Mold, Prestatyn and Wrexham.
28. The closure of Holyhead, Llangefni and Dolgellau would leave large areas of rural North Wales without reasonable access in those areas to Magistrates', County and Family Court Services and the Prestatyn area without reasonable access to Magistrates' Court services.
29. It is proposed that Magistrates and County and Family court work transfers from Holyhead and Llangefni to Caernarfon Criminal Justice Centre and from Dolegellau to Caernarfon Criminal Justice Centre. As these courts are currently operating at 70%, 19%, 37% and 13% capacity respectively, we are concerned about the distribution of this work and the impact on delivery of court services at Caernarfon Criminal Justice Centre.
30. If these proposals are implemented, there would be a significant increase in journey times to unreasonable levels, and in some cases unacceptable levels, for communities serviced by the following courts:
31. Dolgellau Crown and Magistrates' Court
- Before the proposed court closure 73% of people could get to court in 1 hour or less by car. After the proposed court closure this would fall to 15% of people.
  - Before the proposed court closure 0% of people had journey times to court of 2 hours or more by car. After the proposed court closure this would increase to 46%.
  - Before the proposed court closure 34% of people could get to court in 1 hour or less by public transport\*. After the proposed closure this would fall to 0%.\*\*
  - Before the proposed court closure 3% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 19%.\*\*

\*No data has been provided for the journey times to this court by public transport before the proposed court closure for 19% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed court closure for 67% of people.

### **32. Holyhead Magistrates' Court**

- Before the proposed court closure 70% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 0%.\*\*
- Before the proposed court closure 4% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 11%.\*\*

\*No data has been provided for the journey times to this court by public transport before the proposed court closure for 10% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed court closure for 10% of people.

### **33. Llangefni Civil and Family Court**

- Before the proposed court closure 58% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 30%.\*\*
- Before the proposed court closure 2% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 5%.\*\*

\*No data has been provided for the journey times to this court by public transport before the proposed court closure for 7% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed court closure for 7% of people.

### **34. Prestatyn Magistrates' Court**

- Before the proposed court closure 79% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 33%.\*\*
- Before the proposed court closure 0% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 3%.\*\*

\*No data has been provided for the journey times to this court by public transport before the proposed court closure for 2% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed court closure for 2% of people.



\*No data has been provided for the journey times to this court by public transport before the proposed court closure for 13% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed court closure for 13% of people.

**35. Conwy and Colwyn County Court Jurisdiction** (currently cases are heard at Llandudno).

Closure of County Court jurisdiction would mean that certain communities in the south of Conwy county who currently attend Conwy and Colwyn County Court and Family Court in Llandudno would have an unreasonably long journey to make to Prestatyn.

***South West and West Wales***

**36.** If these proposals are implemented, Magistrates' Courts would be located at Aberystwyth, Haverfordwest, Llanelli and Swansea. County Courts and Family Courts would be located at Aberystwyth, Haverfordwest, Llanelli, Swansea and Port Talbot.

**37.** It is proposed that County, Family and Tribunal court work transfers from Bridgend and Neath Port Talbot Courts to receiving site Port Talbot justice centre. As these courts are currently operating at 58%, 50% and 33% capacity respectively we are concerned about the distribution of this work and the impact on delivery of court services at Port Talbot justice Centre.

**38.** The proposals would leave areas in Carmarthenshire without local access to and County and Family Courts. Closure of County and Family Court in Carmarthen would necessitate families travelling to Llanelli, Haverfordwest or Aberystwyth and families from the Neath Valley traveling to Port Talbot.

**39.** If these proposals are implemented, there would be a significant increase in journey times to unreasonable and in some cases unacceptable levels for communities serviced by the following courts:

**40. Bridgend Law Courts [Magistrates', Civil and Family Work**

- Before the proposed court closure 96% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 65%.\*\*

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed court closure for 1% of people.

**41. Carmarthen Civil, Family, Tribunal and Probate Hearing Centre**

- Before the proposed court closure 100% of people could get to court in 1 hour or less by car. After the proposed court closure this would fall to 55% of people.

- Before the proposed court closure 43% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 7%.\*\*
- Before the proposed court closure 13% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 17%.\*\*

\*No data has been provided for the journey times to this court by public transport before the proposed court closure for 28% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed closure for 33% of people.

#### **42. Carmarthen Law Courts (The Guildhall) [Crown Work]**

- Before the proposed court closure 0% of people had journey times of 2 hours or more by car. After the proposed court closure this would increase to 8%.
- Before the proposed court closure 25% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would increase to 31%.\*\*
- Before the proposed court closure 18% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would fall to 11%.\*\*

\*No data has been provided for the journey times to this court by public transport for crown work before the proposed court closure for 17% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport for crown work after the proposed closure for 27% of people.

#### **43. Carmarthen Law Courts (The Guildhall) [Family Work]**

- Before the proposed court closure 78% of people could get to court in 1 hour or less by car. After the proposed court closure this would increase to 84%.
- Before the proposed court closure 26% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would increase to 32%.\*\*
- Before the proposed court closure 15% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would fall to 9%.\*\*

\*No data has been provided for the journey times to this court by public transport for family work before the proposed closure for 19% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport for family work after the proposed closure for 21% of people.

**44. Carmarthen Law Courts (The Guildhall) [Magistrates' Work]**

- Before the proposed court closure 97% of people could get to court in 1 hour or less by car. After the proposed court closure this would fall to 57% of people.
- Before the proposed court closure 38% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 6%.\*\*
- Before the proposed court closure 13% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 20%.\*\*

\*No data has been provided for the journey times to this court by public transport for magistrates' work before the proposed closure for 25% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport for family work after the proposed closure for 34% of people.

**45. Neath and Port Talbot Civil and Family Court**

- Before the proposed court closure 76% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 73%.\*\*
- Before the proposed court closure 1% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 5%.\*\*

\*No data has been provided for the journey times to this court by public transport before the proposed court closure for 2% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport after the proposed court closures for 1% of people.

***Mid Wales***

**46.** If these proposals are implemented, Magistrates' Courts would be located at Llandrindod Wells and Welshpool. County Court and Family Court would be located at Welshpool.

**47.** It is proposed that Magistrates', County, Family and Tribunal court work transfers from Brecon Court to receiving sites Llandrindod, Merthyr and Swansea Courts.

48. If these proposals are implemented, there would be a significant increase in journey times to unreasonable and in some cases unacceptable levels for communities serviced by the following courts:

49. Brecon Law Courts [Magistrates' Work]

- Before the proposed court closure 49% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 34%.\*\*
- Before the proposed court closure 4% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 15%.\*\*

\*No data has been provided for the journey times to this court by public transport for magistrates' work before the proposed closure for 37% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport for magistrates' work after the proposed court closure for 37% of people.

50. Brecon Law Courts [Civil Work]

- Before the proposed court closure 32% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would increase to 33%.\*\*
- Before the proposed court closure 6% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 20%.\*\*

\*No data has been provided for the journey times to this court by public transport for civil work before the proposed closures for 39% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport for civil work after the proposed closures for 39% of people.

51. Brecon Law Courts [Family Work]

- Before the proposed court closure 53% of people could get to court in 1 hour or less by public transport\*. After the proposed court closure this would fall to 24%.\*\*
- Before the proposed court closure 4% of people had journey times to court of 2 hours or more by public transport\*. After the proposed court closure this would increase to 26%.\*\*

\*No data has been provided for the journey times to this court by public transport for family work before the proposed closures for 36% of people.

\*\*No data has been provided for the journey times to the receiving site by public transport for family work after the proposed closures for 36% of people.

### **South Wales**

52. It is proposed that Magistrates' court work transfers from Pontypridd to Merthyr Tydfil Combined Court.
53. If these proposals are implemented, there would be a significant increase in journey times to unreasonable and in some cases unacceptable levels for communities serviced by the following courts:
54. Pontypridd Magistrates' Court [Magistrates' Work]
  - Before the proposed court closure 79% of people could get to court in 1 hour or less by public transport. After the proposed court closure this would fall to 56%.

### **Summary**

55. *The Welsh Government is disturbed by the extent and scale of the proposed rationalisation and closure of courts in Wales. Significant numbers of people in Wales living in communities serviced by courts in Holyhead, Llangefni, Prestatyn, Dolgellau, Carmarthen, Bridgend and Brecon would face unreasonable, and in some instances unacceptable, increases in journey times to attend court.*
56. *The Welsh Government is concerned that the travel time data and analysis provided by HMCTS in its consultation paper is insubstantial and unreliable due to gaps where there is a significant percentage of **no data** for journey times for people.*
57. *The Welsh Government is very concerned at the impact of the proposed closure of courts and transfer of court work on processing times and speed of resolution. This may be more acute for particular courts, for instance we are concerned about the capacity of Caernarfon Justice Centre in the event that it receives court work transferred from Caernarfon Civil and Family Court, Holyhead Magistrates' Court, Llangefni Magistrates' Court and Dolgellau Crown and Magistrates' Court. The Welsh Government is also concerned at the proposed closure of Bridgend and transfer of court work to Port Talbot and the impact on capacity and court services should these be delivered at Port Talbot.*
58. *The Welsh Government suggests that closure of Conwy and Colwyn County Court jurisdiction has an impact on communities in the south of*

*Conwy and would result in people who currently attend Conwy and Colwyn County Court and Family Court in Llandudno having an unreasonably long journey to make to attend court in Prestatyn. This impact is greater than an administrative change and as such the proposal needs to be the subject of public consultation.*

- 59.** *The Welsh Government believes that the UK Government's proposals to close certain courts are solely driven by pressures to reduce the HMCTS estate and running costs. There is no consideration in the consultation paper or impact assessment of investing in the HMCTS estate in Wales, or consideration of important factors such as the rurality of Wales and maintaining court services in key geographic locations to enable access to court services. In particular, HMCTS data for 2013/14 on capacity use indicates the combined workload of Holyhead and Llangefni is over 50% capacity, the workload of Carmarthen courts combined is 68% capacity, and the workload of Bridgend Court is over 50% capacity. The proposed closure of certain courts also represents poor value for money. According to HMCTS data, the court at Brecon was only opened in 1994, was refurbished in 2004 and sits up to three or four days per week. Carmarthen Hearing Centre is also a relatively new building and Bridgend and Pontypridd have recently undergone significant refurbishment.*

#### **Accessibility to court services in the Welsh language**

- 60.** The proposals do not provide any analysis or consideration of the Welsh language needs of the population and service providers in Wales. The Welsh Language Act 1993 provides that Welsh can be used in any legal proceedings in Wales and oaths and affirmations may also be made in Welsh. Access to services through the Welsh Language is of primary importance and is a statutory right for the people of Wales.
- 61.** The consultation paper and impact assessment contain no analysis or consideration of the impacts of the proposed closures of courts on the delivery of services in Welsh. Similarly, the consultation paper and impact assessment do not address how HMCTS would maintain its commitment to deliver bilingual services to the people of Wales in accordance with its Welsh Language Scheme, when the proposed closure programme affects many areas where the population is predominantly Welsh speaking.
- 62.** We strongly object to the proposed closure of courts in Carmarthen given the impact this will have on access to justice and the justice system in the Welsh language for court users and other service providers in the Welsh language. We understand that purpose-built translation facilities are part of the fabric of the buildings in Carmarthen, whilst this is not the case in any of the courts that will receive cases if this facility is closed. In addition, we understand that a quarter of the HMCTS staff in Carmarthen are Welsh-speakers, whilst the numbers in Haverfordwest are very small.

63. HMCTS's has failed to have any regard to its Welsh Language Scheme, which under Planning at para 4.1 confirms that "when developing new policies and procedures updating current ones or considering the impact of Government policies and initiatives in Wales we will have full regard to their consequences on the use of the Welsh language".

### **Summary**

64. *The Welsh Government strongly objects to the proposals to close courts and challenges the efficacy of the HMCTS proposals in the absence of analysis of the impact on the delivery of court and tribunal services in Wales through the medium of Welsh.*

### **Alternative ways of accessing the justice system**

65. Whilst the Welsh Government is supportive of the strategic objective to provide for alternative ways for the public and other court users to access the justice system, the consultation paper and impact assessment contains very little information about proposed alternative arrangements and analysis as to how these might reduce the impact of the proposed closure of courts and tribunals.
66. This is a significant gap in the proposals and impact assessment, given the UK Government's stated intention of developing digitised services is significant to the reform proposals and rationalisation plans. Issues around access and capability of internet based services, lack of access to online services and rural not-spots are important factors that affect access to justice and these issues have not been addressed.
67. It is essential that any alternative arrangements and new ways of working proposed by HMCTS are developed and operating effectively in advance of any programme of closing courts.

### **Summary**

68. *The Welsh Government strongly opposes proposals for rationalisation of the HMCTS estate being implemented prior to the publication of proposals and analysis about alternative ways of working. It is entirely unsatisfactory and obstructive to have piecemeal and fragmented consultation on proposed substantial and radical changes to the justice system. For example, the MoJ announced its decision to close Abergavenny and Caerphilly Magistrates' Courts on 9 July, exactly one week before publishing its further consultation on the future of courts and tribunals in Wales on 16 July. This follows the fragmented approach to the closure and alternative arrangements for transferring court work for the 15 courts and tribunals that have already closed in Wales since 2010.*
69. *This piecemeal approach is further compounded by the fact that the Welsh Government was consulted about the Review of the Civil Courts Structure being led by Lord Justice Briggs on 25 September. The wide*

*scope and urgency of the Review clearly indicates that the UK Government is acting rashly in focusing on the courts proposed for closure before any assessment or analysis has been undertaken into developing digital platforms and considering how the HMCTS modernisation programme should be taken forward to fit the most effective and efficient future structure of the Civil Courts. In contrast, the Review of the Criminal Courts was undertaken at a suitably early stage in 2014 in advance of the HMCTS reform programme.*

- 70.** *It is impossible to assess the impact and engage properly in the consultation process in the absence of clear and strategically informed proposals. It is impossible to make any suggestion as to alternative arrangements in advance of the findings for the review of the structure of the Civil Courts. The Welsh Government strongly objects to proposals to close courts and tribunals whilst there are other highly relevant ongoing reviews that are likely to impact significantly on the future of courts and tribunals across England and Wales. The Welsh Government is strongly of the view that proposals to close courts and tribunals can only be considered after informed decisions have been made about the future of the civil courts in England and Wales.*

#### **Local administration of justice**

- 71.** Proposals to close courts and transfer court work to other receiving court sites would have a significant impact on the presence and delivery of local justice and ensuring the administration of justice is connected with other local services and service providers.
- 72.** In particular, the proposed closures of Holyhead and Llangefni and transfer of court work to Caernarfon would be outside of local authority boundaries and would mean that there would be no court or tribunal building on Ynys Mon, a substantial geographical area. A court presence in this area is especially critical given the location of the significant national port infrastructure and nuclear industry sited on Ynys Mon. Similarly, court closures in Dolgellau, Bridgend and Carmarthen would mean that there is no court presence within towns that have significant local and regional populations.
- 73.** Additionally, the proposed closures of other courts involve arrangements that are likely to be unsatisfactory for court users and other service providers where court work would be transferred disparately outside of local authority boundaries. For instance, the proposed closure of Bridgend with court work transferring to Cardiff and Port Talbot; the proposed closure of Carmarthen with court work transferring to Llanelli, Haverfordwest and Aberystwyth; and the proposed closure of Brecon with work transferring to Llandrindod, Merthyr and Swansea. The distances between towns and the rural areas this effects are significant and the distances between courts will be far greater than is the case for towns and courts in England.

#### **Summary**



74. *The proposals are wholly lacking in consideration of the need to retain a justice presence in the community and of the need to maintain community links between local services and other service providers involved in justice administration and with court users. The Welsh Government is strongly of the view that communities serviced by courts in Holyhead, Llangefni, Bridgend, Carmarthen and Brecon would be significantly affected by these proposals. The distances between towns and the rural areas in between are substantial. If these proposals go ahead as consulted upon, the distances between towns and the nearest court will be far greater than is the case for towns and courts in England.*

**Would the proposals for the provision of court and tribunal services have a direct impact on you? If yes, please provide further details.**

75. The Welsh Government is committed to delivering efficient, high quality people centred public services for the people of Wales and to supporting continued economic growth of businesses in Wales. The proposals are likely to place additional pressures, which could be significant, on already stretched Welsh Government public and third sector funded organisations, and other service providers and private sector organisations in Wales. Those most likely to be affected include public and third sector organisations involved in justice administration, court representation, advisory, support and mediation services and organisations which provide social care services. The proposals are also likely to place additional pressures on firms in Wales, many of which are SMEs.
76. The Welsh Government is concerned that the impact of the proposals on resource pressures would be particularly acute in communities currently serviced by courts in Holyhead, Dolgellau, Prestatyn, Carmarthen, Brecon and Bridgend, compounded by unreasonable and unacceptable increases in travel times that would be a barrier deterring people from attending court.
77. The impact assessment does not take account of the ability of people to attend court early in the day when in rural areas frequent and / or early bus services may not be available. In the absence of commercial services, local government and the Welsh Government may be called upon to provide subsidised bus services to meet the additional need.
78. Failure of litigants to attend court would result in wasted time and associated costs for organisations involved with justice administration, such as local government and third sector organisations providing court representation and advice services and law firms.
79. The impacts of lack of representation, which is often provided by third sector support agencies, has a known negative impact on the outcome for litigants as reported in the UK Government's June 2011 study

[Government research on litigants in person<sup>2</sup>](#). If the proposals are implemented, there would be significant social impacts, such as increases in home loss, which has wider implications for others. For example, this would increase existing pressures on local government to provide alternative accommodation for families and others affected, including temporary accommodation and permanent accommodation. There would also be costs to other social landlords such as housing associations.

80. A [UK Government review on the cost of homelessness<sup>3</sup>](#) in August 2012 confirmed costs of between £24,000 and £30,000 as a realistic average for the costs to government of homelessness. Where repossessions and evictions are either undefended or inadequately defended despite an arguable case which may have kept the individual housed, this cost would fall in Wales to local government and ultimately the Welsh Government. Reasons for failure to defend a claim vary, but may include difficulty in accessing advice, reduction in the availability of legal aid, even where cases remain in scope, and difficulties in accessing changed venues. They would be compounded by the proposals, if implemented, resulting in unreasonable and unacceptable increases in journey times to court.
81. The Welsh Government is concerned that services users of CAFCASS Cymru may struggle to attend locations that are further afield. Parents and relatives in private law cases in which the local authority are not involved may not have access to support or advice in respect of how to travel to the court locations. Many court waiting areas also serve as useful points from which court users are able to access information about how to apply to the court or mediation services available in their area. The Welsh Government is concerned that with fewer court buildings, people would be unable to access information about such services as readily as if those resources were available locally.
82. The impacts of the proposed court closures and the move towards the digitisation of services and the benefits anticipated by the reform programme presupposes that individual members of the public have appropriate levels of IT access and skills to complete necessary tasks. However, accessing IT is likely to be a challenge for many court users, especially vulnerable users with health conditions or additional needs. As a result, it is likely that the proposed closure of courts would place additional pressures on third sector and private legal sector

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<sup>2</sup> Litigants in person, a literature review, Kim Williams, Ministry of Justice, June 2011, accessed September 2015, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/217374/litigants-in-person-literature-review.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/217374/litigants-in-person-literature-review.pdf)

<sup>3</sup> Evidence review of the costs of homelessness, Department for Communities and Local Government, August 2012, ISBN: 978-1-4098-3609-4, accessed September 2015, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/7596/2200485.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7596/2200485.pdf)

organisations and resources to support litigants to engage with court processes.

83. Increased journey times would also increase travel costs for Welsh Government public funded organisations involved in administering justice, such as youth offending teams, and more widely on local government providing financial assistance to enable families to attend court.
84. Legal practices in towns such as Brecon, Carmarthen and Dolgellau, where the proposals would result in the closure of the only remaining court building(s), may face additional travel time and expenses, or potentially relocation costs, or risk losing business. There is a suggestion in the consultation paper that those additional costs would be offset by better strategic planning, resulting in fewer journeys to court, but no evidence is provided in the impact assessment to support this assumption.

### **Summary**

85. *The Welsh Government strongly objects to the cost shifting impact of these proposals. It is clear that the UK Government will realise a cost savings benefit from these proposals by shifting the cost burdens to court users and other service providers. The consequential costs of increased resource pressures on the Welsh Government, local government and other public sponsored and third sector funded organisations, and private legal sector firms in Wales will far outweigh the benefits and costs savings the UK Government proposes would be achieved in the consultation paper and impact assessment.*
86. *The Welsh Government is strongly of the view that to understand the impacts and costs of the HMCTS rationalisation programme on other public funded or sponsored organisations, the UK Government needs to undertake a full and proper impact assessment and consultation with organisations closely involved with justice administration and public transport.*

**Are there other particular impacts of the proposals that HM Courts & Tribunals Service should take into account when making a decision? Please provide details.**

### **Wider UK Government reform proposals**

87. The Welsh Government is concerned about the pace and accumulative effect of wider reforms to the justice system on court users and services in Wales. In particular, in addition to the proposed closures of a significant number of courts, the UK Government is proposing a further round of increases in court fees and is implementing further reductions in legal aid, including a cut of 8.75% in criminal legal aid fees this year.

88. *Given the pace and significant scale of UK Government reforms to the justice system, the Welsh Government strongly recommends that the UK Government undertakes a full and proper review to evaluate the cumulative impacts of the reforms to understand how they are significantly reducing access to the justice system and whether the UK Government is complying with its obligations to uphold important principles including the right to a fair trial in the European Convention on Human Rights.*

### **Co-location of different types of court proceedings**

89. The Welsh Government is concerned about proposals to co-locate proceedings for Civil and Family courts with criminal Magistrates' and Crown court proceedings. For instance, it is proposed that Civil and Family Court work would be transferred from Llangefni and Caernarfon (Civil and Family Court) to Caernarfon Criminal justice Centre.

### **Summary**

90. *The Welsh Government seeks assurances from HMCTS that where such transfers and integration of work is proposed, physical separation of access to court buildings and proceedings would be maintained, together with further information from HMCTS as to how this would be achieved for proposed receiving sites. This is particularly important for vulnerable court users, such as victims and witnesses.*
91. *The Welsh Government asks that the names of court buildings reflect the nature of the work they undertake, to ensure court users are fully informed. For example, it is inappropriate and potentially offputting for court users to attend a court building named 'Criminal Justice Centre' for Civil or Family Court proceedings.*

### **HMCTS Staff**

92. The Welsh Government is concerned about how the proposals to close courts and transfer work to other receiving sites would affect staff located in courts earmarked for closure. The proposals are likely to directly affect a significant number of HMCTS staff across Wales.

### **Summary**

93. *The Welsh Government seeks assurances from HMCTS that it would provide suitable alternative work and location transfer arrangements and that the reform proposals would not result in compulsory redundancies in Wales.*

### **Local Justice Areas**

94. The Welsh Government is committed to standardising public sector boundaries to improve the delivery of public services, encourage collaboration and partnership working and to deliver efficiencies. During

2015, the Welsh Government has consulted on a new map for local authority boundaries in Wales, which are congruent with those of the Police and Local Health Boards. Given the significant impact on the work of employees of a range of public sector organisations who attend the different types of court, the Welsh Government seeks assurances from HMCTS that consideration is given to the proposed new boundaries in any review of Local Justice Areas (LJAs) and any closures of courts in Wales.

95. The Welsh Government is concerned about the uncertain impact of these proposals on the future structure of LJAs. As LJAs are used to determine which Magistrates' courts may hear a particular case, LJA boundary changes and mergers are likely to have an impact on court users and service providers involved in administering justice.

### **Summary**

96. *It is important for citizens and service providers in Wales that public services are joined up and aligned. The Welsh Government seeks assurance from the UK Government that full and proper consideration will be given to the proposed new local authority boundaries in Wales in any review of Local Justice Areas (LJAs) and any further closures of courts in Wales. The Welsh Government asks that the UK Government invites Local Justice Boards to undertake consultation on proposed boundary changes and mergers, including LJAs for Magistrates' Courts already announced for closure, such as Abergavenny and Caerphilly, once the full impact of HMCTS court closures is known, so that court users and service providers would have full knowledge about the extent of the impact and proposed changes.*

### **Our assessment of the likely impacts and supporting analysis is set out in the Impact Assessment accompanying this consultation. Do you have any comments on the evidence used or conclusions reached? Please provide any additional evidence that you believe could be helpful.**

97. The impact assessment presents a high level analysis of the impact at an England and Wales level. As a result, the level of detail required to undertake a thorough review of the costs and benefits is not available and it is not possible to determine the likely net impact in Wales.
98. There are only two options presented in the impact assessment: do nothing; and the preferred option. It is not clear what alternative options have been considered and the relative costs and benefits of those options.
99. The impact assessment identifies a number of potential ongoing costs, but does not proceed to quantify them. In particular, travel times and travel costs incurred due to the proposed court closures are likely to represent significant ongoing costs. Whilst the impact assessment recognises travel times and travel costs would have a greater impact in

Wales than English regions, there is no assessment of those further impacts.

100. There are a number of key uncertainties in the impact assessment which may impact significantly on the analysis provided regarding net profit value – such as receipts from sales of buildings and land.
101. It is unclear whether capital receipts and savings would be reinvested into areas of greatest need. Given the impact of proposed court closures in Wales would be more significant than in other areas, HMCTS should invest in court buildings in Wales.

### **Summary**

102. *Given the substantial scale of the reforms, the Welsh Government is appalled that the UK Government has not undertaken any assessment and analysis of the impacts in Wales at a Wales level. It is impossible to determine the impacts of these proposals on Wales in the absence of any UK Government impact assessment and analysis undertaken for Wales. It is vital the UK Government addresses this gap, particularly given the impacts on journey times are significantly greater in Wales than in England and when HMCTS services provided in the medium of Welsh are specific to Wales.*
103. *The impact assessment contains insufficient or no analysis of the impacts of the proposals in the following key areas.*

### **Welsh language**

104. There is no analysis or impact assessment of the proposed closure of courts on the delivery of court services in the Welsh language; or how the closures would affect many parts of Wales where the population is predominantly Welsh speaking or where there are significant numbers of Welsh language speakers. Similarly, there is no explanation of how HMCTS would maintain its commitment to deliver bilingual services in Wales to ensure accessibility of justice to Welsh speaking court users across Wales.
105. In recent years, the number of Welsh speakers requesting public services in Wales has remained low, partly due to their experience of receiving poor Welsh language services. The challenge of changing linguistic behaviour is at the heart of the Welsh Government's strategy to promote the use of the Welsh language. Our goal as a government is to reach a situation where the use of Welsh is normalised through daily life so that products and services are offered proactively in Welsh and where people feel confident to use Welsh both formally and informally. Our behavioural change campaign encourages Welsh speakers to make use of their language skills in a variety of setting, and gradually increasing their use of the language over time. A high proportion of the population of North West Wales, mid-Wales and West Wales speak Welsh, whilst parts of South Wales have very high numbers of Welsh speakers

(though they may be relative small compared to the overall proportion of the population). We believe that there would be an increase in demand for services through the medium of Welsh from all parts of the public service over the next few years as Welsh speakers exercise their rights, and this change is as important as an analysis of past use in terms of planning services for the future. It is therefore important that a high level of service is available through the medium of Welsh in all parts of Wales.

### **Summary**

106. *The lack of a Welsh language impact assessment is a critical gap in the assessment and analysis of the impacts of the proposals. The Welsh Government expects the UK Government to address this gap with a full and proper analysis and impact assessment as the specific impacts of the proposed court and tribunal closures on court and tribunal users who wish to use the services through the medium of Welsh.*

### **Increased journey times and costs by public and private transport**

107. The impact assessment acknowledges that "Court closures in Wales would have a larger impact as the next closest courts are further away than many other regions" (paragraph 143 of the impact assessment). The impact of court closures in Wales is shown in bar chart by court jurisdiction rather than by court building which provides a misleading picture of the actual impacts of the proposals on journey times by public and private transport. It suggests the proposals would have little impact on travel times.
108. The data on travel times when assessed by court indicates more significant impacts on journey times on a greater number of people being required to undertake unreasonable and unacceptable journey times in Wales.
109. The impact assessment does not provide enough detail to enable the Welsh Government to respond to the impacts of the reform proposals in a considered way. The Welsh Government would expect reasonable travel proximity of a 10 minute walk time from the public transport network and for all public transport journeys to be made within 60 minutes.
110. The analysis underpinning the proposals should take account of and acknowledge the following factors:
- The proximity of the court to the bus/rail station and walk times.
  - The percentage of people without access to a car. In Wales, 22.9% of households don't have access to a car and 43% of households have access to one car. Car ownership is generally lower in more urban areas and in areas where there is a higher

percentage of people employed in routine or manual occupations/long term unemployed or never worked. These groups would be more adversely affected. In addition, minority ethnic adults are more likely to live in a household without access to a car.

- For some court users it is possible there would not be a public transport alternative, but this has not been addressed.
  - The source of the timetable information used by HMCTS in its consultation paper to provide journey times – e.g. time of day/day of the week, which would have a large impact on journey times/accessibility.
  - The public transport travel time calculations used by HMCTS. These do not appear to take into account the additional waiting times that court users would be subject to when arriving by public transport. For example, they may have to arrive an hour or more before their appointment in order to fit with the scheduled public transport timetable.
  - The scheduling of public transport services in rural areas. Unless cases are diarised sympathetically, court users may not be able to travel in time for cases to be heard owing to transport scheduling. This could be problematic both for earlier and later sittings where court users are unable to travel home using public transport.
  - Details of the calculations used by HMCTS for travel arrangements needs to account for family members to attend hearings using public transport. Also whether the information on the cost of rail tickets was based on being purchased on the day of travel or booked in advance.
  - Information on the financial impacts on court users [and their families]; e.g. some of the fares quoted are relatively high, but the focus is on travel time rather than cost.
- 111.** Details of proposed alternative arrangements to attending court for proceedings that may to some extent mitigate the impact of increased journey times has not been provided or analysed as part of the impact assessment. This is a substantial knowledge gap given the UK Government's plan to develop digitised services is a significant element of the reform proposals. Issues relating to access and capability of internet-based services, rural not-spots, people who are unable to access online services or need additional support to do so, are important factors for maintaining access to justice and court services.

### **Summary**



112. *Given that impacts of court closures in Wales on journey times is significantly greater than in England, the Welsh Government expects the UK Government to undertake a Wales level impact assessment and full analysis of the impacts on journey times to the court and tribunal buildings proposed for closure in Wales. The Welsh Government has evidence that the expected increases in journey times are unreasonable and in many cases unacceptable. Tackling poverty is a priority for the Welsh Government. The significant impact of the proposed court closures on increasing travel times and costs for court users and their families must be taken into consideration by the UK Government to inform its proposals. The impact assessment must include analysis and assessment of the proposed alternative arrangements, such as digitised services and use of alternative venues given these are significant elements of the proposals. Without this analysis and information, it is impossible to determine the impacts of the proposed court closures in Wales.*

### **Conwy and Colwyn Civil and Family Court Jurisdiction**

113. The Welsh Government suggests that the proposed closure of the Conwy and Colwyn County Court jurisdiction would impact on families and would necessitate certain communities in the south of Conwy County who currently attend Conwy and Colwyn County Court and Family Court in Llandudno having to make unreasonably long journeys to Prestatyn.

### **Summary**

114. *As the impacts of this proposal affect members of the public and other court users in the area, the proposed change is more significant than an administrative adjustment. The Welsh Government asks that the proposal is the subject of a separate public consultation so that those affected have the opportunity to fully consider and comment.*

### **Disposal of HMCTS estate buildings**

115. Although the Welsh Government supports the principle of reinvesting proceeds from the disposal of court and tribunal buildings into the reform programme, the proposed closures of so many court buildings in Wales would have a significant impact on communities. Court buildings are generally substantial buildings centrally located in or near town centres. The closure and disuse of such buildings would represent a visually debilitating eyesore for people living in and visiting the local community. It would also have a significant adverse economic impact on towns such as Holyhead, Llangefni, Dolgellau, Bridgend, Carmarthen and Brecon, where there is the additional element of ensuring that services and employment are available locally.

116. The consultation paper and impact assessment contain very limited consideration and information regarding how the sale of buildings proposed for closure would be achieved. Given buildings are purpose built for court and tribunal use, and given current economic challenges and market forces, this will be a challenge in many areas in Wales.
117. The consultation paper and impact assessment contain no information on the impact and cost for local government and towns where court buildings which are purpose built are currently leased from local government.

### **Summary**

118. *Building the Welsh economy is a priority for the Welsh Government. It is vital that the UK Government undertakes full and published analysis and consideration of the impacts of closed court and tribunal buildings on communities in Wales, and the proposed plans to facilitate effective disposal of buildings in Wales, including in each case the scope for transferring assets to the community. Additionally, it is vital that the impact assessment includes consideration of the impact of market forces in small Welsh towns on achieving sales and reusing court buildings, which differ greatly to market forces for courts located in England.*

### **Local government, small firms and third sector organisations and not for profit advice services**

119. There is very limited analysis by in the consultation paper and impact assessment as to the impact on small firms and other organisations, including the public sector. Additionally, no consideration or analysis is provided regarding the wide range of third sector organisations and not for profit advice providers supporting people involved in civil and criminal proceedings and regularly representing individuals in a range of civil cases and tribunals.
120. Recent estimates suggest there are approximately 150 third sector advice providers in Wales, some of whom exist on very limited charitable funding. The majority would be subject to restricted funding, which must be spent strictly on the purpose for which it was awarded. Services are delivered by varying proportions of paid staff and volunteers, many of whom would have a range of other commitments which can limit their capacity to be flexible. Defined geographic areas of benefit may also preclude third sector organisations from supporting service users beyond their immediate locality.
121. Third sector organisations are, therefore, less likely to have the same degree of flexibility as the private or public sector, due to limited financial, staff and volunteer resources which may not readily fit with the new location or scheduling arrangements. At worst, this could mean that some not for profit advice providers have to cease entirely to provide in person representation or support. For example, volunteer advisers may

be unable to make an additional journey to act for a client in the hours they have available for volunteering, where volume targets for paid advisers could not be met if travel time to hearings was increased or where charitable funds simply would not stretch.

122. Third sector organisations working with people experiencing substance misuse issues, mental health problems, young people and those with other protected characteristics often accompany their service users to a court or tribunal. This practice ensures the service user engages with the justice system effectively, either to exercise their legal rights or to discharge their obligations. If this support is not available, the individual is less likely to voluntarily engage with the justice system as a litigant in person, even where it would be in their best interests to do so, meaning claims may not be pursued or challenged. Depending on the qualification of support workers, they can assist both the court and the service user either as a McKenzie friend or professional representative.
123. Third sector organisations providing support for witnesses or victims of crime or court desk services for civil proceedings are likely to see an increase in the demand for their services.
124. Small firms, particularly private solicitors in towns where the only court building is to close, are likely to be particularly affected by the proposals, compounded by the wider UK Government reforms to the justice and welfare systems.

### **Summary**

125. *Although overall projected volumes for HMCTS court work may remain unchanged, the Welsh Government's view is that this is not an accurate reflection of the proposals regarding the impacts of the proposals on other organisations. Accordingly, the impact assessment and analysis need to address the impacts of shifting demand patterns on third sector and not for profit organisations and small firms. This is particularly important given advisory support services are most likely to support court users with protected characteristics.*

**Are there alternatives to travelling to a physical building that would be a benefit to some users? These could include using technology to engage remotely or the use of other, civic or public buildings for hearings as demand requires. Please explain your answer, with specific examples and evidence of the potential demand for the service where possible.**

126. The Welsh Government supports the strategic objectives to provide alternative ways for the public and court users to access the justice system. If the proposals to close courts are implemented, the public and court users in Wales would in many cases have significantly increased journey times and costs to attend court. To reduce the impact on access to court services, it is essential that alternative arrangements proposed by the UK Government, such as use of civic and other local community venues and digital services providing for virtual proceedings to be

conducted, and new ways of working that would support such alternative arrangements are developed and operating effectively before any programme of closing courts commences.

- 127.** *The consultation paper and impact assessment contain insufficient detail about alternative arrangements and how these arrangements could reduce the impact of the proposed closure of courts. The Welsh Government does not agree to the proposals in advance of any published analysis and proposals enabling informed consideration of alternative arrangements and ways of working to take place. The consultation paper and impact assessment need to include analysis and proposals for alternative arrangements to enable informed consideration of the proposals to be published.*

**Please provide any additional comments that you have.**

- 128.** The Welsh Government is dismayed and deeply concerned by the extent of the proposed court closures in Wales. The UK Government's reforms to the justice system are undermining access to justice across Welsh communities. The Welsh Government has included evidence that clearly indicates that closures will increase journey times and costs to unreasonable and in many cases unacceptable levels. Making it more difficult for the citizens of Wales particularly the most vulnerable in society and those living in rural areas, deprived areas and the Valleys, to access justice.
- 129.** The absence of an impact assessment for Wales is a major flaw of the consultation. It makes it impossible to determine the impact of the proposals in Wales. The absence of a Welsh language impact assessment is a flagrant disregard for citizens and service providers in Wales and their right to conduct legal proceedings through the medium of Welsh.
- 130.** If the proposals consulted upon are implemented, the costs to court users, other public funded and third sector service providers, and private organisations, will substantially increase. The Welsh Government is shocked at the UK Government's cost shifting approach for operating the justice system.
- 131.** It is entirely unsatisfactory and obstructive to have piecemeal and fragmented consultation on proposed substantial and radical changes to the civil and criminal justice system. The proposals in the consultation to close 11 of the 42 remaining courts and tribunals in Wales follows the UK Government's previous closures of 15 courts since 2010, and a further announcement to close Abergavenny and Caerphilly Magistrates' Courts on 9 July, a week before this consultation was launched.
- 132.** The UK Government is acting prematurely in focusing on closing courts and tribunals before any assessment or analysis has been undertaken into developing digital platforms and Lord Justice Briggs has made recommendations about the future structure of the Civil Courts. It is

impossible to assess the impact and engage properly in this consultation process in the absence of clear and strategically informed proposals.