

**BME Community Services's Response to
the Proposals on the Provision of Court
Services in Kent, Surrey and Sussex**

September 2010

BME Community Services (BMECS) welcomes the opportunity to respond to BME Community Services' Response to the Proposals on the Provision of Court Services in Kent, Surrey and Sussex.

BMECS is a registered charitable company, established in 2006 to address the gaps and needs in services for individuals, families and groups from the Black, Asian and Minority Ethnic (BAME) communities, including refugees and asylum seekers in West Sussex.

Our mission is to be a "Support service for BAME groups, individuals and families; encouraging integration, community cohesion, reducing social exclusion and tackling inequalities in West Sussex and beyond."

Amongst our main aims include:

- Promote equality of opportunity and celebrate the value of the diverse communities in our area.
- Promote fair access to opportunities and services that responds to BAME communities needs in West Sussex.

BMECS is committed to equality and diversity which is in the heart of its values, work etc. BMECS will continue to promote equality of opportunity and good race relations between persons of different racial groups, eliminate unlawful discrimination and to provide culturally sensitive services that meet the needs of the diverse communities of West Sussex. BMECS will continue to represent the issues of the West Sussex BAME Communities with the following in mind.

- **Promoting accessibility**

BMECS will continue to increase BAME communities' ability to access support services and ensure through second tier organisations that services are culturally accessible.

- **Valuing cultural diversity**

BMECS will continue to raise awareness of BAME culture amongst the public and voluntary and community sector partners. It will support community representatives to advocate on behalf of their community so that policy development and decision making takes account of the distinctive needs of this community.

- **Promoting participation**

BMECS will continue to encourage participation and engagement of BAME communities in local decision-making.

- **Promoting equality of opportunity**

BMECS will continue to promote equality for all and advocate for BAME communities to be treated fairly with dignity and respect and be given equal opportunity to improve the quality of their lives.

- **Promoting inclusive communities**

BMECS will continue to increase awareness of BAME cultures, building understanding between BAME and mainstream communities.

- **Reducing disadvantage and exclusion**

BMECS will continue to develop and deliver programmes and models as tools to enable local partners to identify and tackle exclusion.

- **Promoting better community cohesion and integration**

BMECS will continue to work with communities and partners to ensure BAME communities are active and well integrated into mainstream society.

- **Promoting good practice**

BMECS will continue to encourage public and voluntary sector partners to show commitment to equality and diversity by adopting and implementing models of good practices that are implemented successfully.

- **Promoting better partnership working**

BMECS will continue to encourage and support partnerships initiatives that have positive impact on the wellbeing of BAME communities

BMEC is mindful that *“HMCS is committed to providing a high quality courts service within a reasonable travelling distance of the communities that use it, while ensuring value for money for taxpayers.”* We also understand that, because of the current state of the economy and the current public debt, the Government will take measures to reduce the debt, knowing that the repercussion will be hugely felt by communities, particularly the BAME Communities, up and down the country.

For this reason, BMECS would like to be reassured that Her Majesty’s Court Services has been sensible in their decisions to close Haywards Heath Magistrates and County Courts in West Sussex, and have put in place measures to help and support the staff, businesses and communities affected by such decisions, particularly at this time of economic recession.

BMECS would like Her Majesty’s Court Services to take note of the suggestions it is making on the [Proposals on the Provision of Court Services in Kent, Surrey and Sussex](#).

BMECS is concerned that the closure of Haywards Heath Magistrates and County Courts is likely to have negative effects on many levels of the community and we would like Her Majesty’s Court Services to consider the following in their decisions:

- We believe that it will be difficult for those located in Haywards Heath, considering the rural aspect of the area and the journey they have to take, to access the court system. Communities and transferred Court employees are likely to experience higher costs of having to travel further distance.
- In a period of economic growth, the cost of travelling is higher for poor families imagine now the economy is in recession. This can constitute a barrier for the disadvantaged communities to access the court system.
- Her Majesty’s Court Services need to anticipate the likelihood that some communities might miss court because they are poor, disadvantaged, old, disabled, carer and so on.
- We believe that an equality impact assessment need to be conducted at the same time as this consultation to ensure Her Majesty’s Court Services’ decision to close Haywards Heath Magistrates and County Courts does not have a diverse impact on communities. This will inform a fair and just decision.

- We are aware that Her Majesty's Court Services has engaged in talks with trade unions to discuss the fate of the employees of Haywards Heath Magistrates and County Courts, and that it is anticipated that these employees will be transferred with their workload to other courts. We believe it would be catastrophic if any of these employees is to be laid off. For this reason, we would like Her Majesty's Court Services to make clear what is likely to happen to these employees and what support system is in place to help them in the event of a layoff.
- As mentioned above, Her Majesty's Court Services proposals would place a financial burden on Haywards Heath residents having to travel further to Court for Council Tax, Licensing appeals, Business Rates, Planning Enforcement and other related businesses. We urge Her Majesty's Court Services to take these into consideration in their decision. For someone who is unable to pay for their council tax, it will be difficult also to afford to travel further.
- BMECS believes that Her Majesty's Court Services should bear in mind that the proposals will also have a diverse impact on businesses and locally based solicitors practices. This might prejudice local businesses and solicitor practices and lead to increased costs for clients. The solicitors who will have to represent their clients in other courts are likely to increase their fees to cover their travel costs. This is another cost for the poor families who barely make ends meet.
- Furthermore, the cutbacks that have already been made to the legal services, in particular legal aid fees, are already having an impact on the cases lawyers/solicitors will take on. This has prevented low income and disadvantaged people in the community from seeking justice. Therefore, as the Impact Assessment on Her Majesty's Court Service proposals states the reduction of the number of Magistrates and County Courts could have a negative impact on the Legal Aid Fund. *"For example, in Magistrates' Courts the additional travel and waiting payment that will have to be made to solicitors if their clients are now to face proceedings before a different Magistrates' Court".*
- We believe that Haywards Heath Magistrates and County Courts meet the needs of the people and the support services to victims, witnesses and vulnerable people might suffer as a result.

We appreciate the opportunity to comment on the **Proposals on the Provision of Court Services in Kent, Surrey and Sussex**. We urge Her Majesty's Court Services not to consider the proposal in isolation.

The closure of Haywards Heath Magistrates and County Courts will have an effect on communities, particularly the most vulnerable and disadvantaged; businesses and welfare and local support services.

Although, this consultation is more about Her Majesty's Court Services national estates strategy than barriers to access to justice, we cannot help thinking that this proposal provides the opportunity to review the effectiveness of the justice system as a whole to ensure that communities have access to a system that is fair and just regardless of their wealth, social status, race, gender, age, ability, religion or belief and sexual orientation.

We do hope that Her Majesty's Court Services will make a decision that is just, humane and transparent in the public interest. We anticipate that Her Majesty's Court Services will fulfil its equality duties in their decisions.

BMECS will continue to play a major role in ensuring that all communities in West Sussex and the UK are given equal opportunity to access a justice that is fair, honourable and impartial regardless of race, ethnic origin, gender, age, sexual orientation, religion or belief, etc. of the users.

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