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Publication: **Immediate**

Stop Magistrates' Courts Closures! Senior lawyer warns Justice Ministry in Politeia piece that costs would rise, justice suffer and the Big Society take a battering.

The Coalition wants voluntary groups to play a bigger role in society. But the message has been lost on the Ministry of Justice so far as magistrates and their courts go. The MOJ is determined to close one third of these volunteer courts* and claims it will save money. But, says Stanley Brodie, in *The Cost to Justice: Government Policy and the Magistrates' Courts*, the move will lead to higher costs, more bureaucracy and less justice. It should be stopped.

Brodie shows that costs are already spiralling, because Whitehall has taken over running the magistrates' courts and there has been a big increase in the numbers of bureaucrats. The planned closures will make things worse:

- So far from achieving the £41.5 m efficiency savings claimed by MOJ (which, Brodie observes, is hardly 'one per cent of the bill we pay for civil service management of the English legal system', there will be great long term costs, both financially to the taxpayer, and to the quality of justice.
- Even selling off the court houses (for 'a possible £38 m') ignores the cost of building new ones and expensive cancellations, as in Liverpool. Such closures, says Brodie would bring 'significant damage to the system and the delivery of justice with minimal financial advantage'.

The attack on the magistrates is part of a more sinister trend in which government and Whitehall have been undermining the independence of the judges. The author shows how these developments have taken place, and how the constitutional distinction between judiciary and government has been breached.

The author proposes that:

- The Ministry of Justice halt the closure of the magistrates' courts (93 magistrates' courts and 49 county courts) so as to ensure continued access to justice for those who need it.
- Control of the Magistrates' Courts' system should be restored to the Magistrates themselves and taken back from Civil Servants – saving the nation at least £1billion annually
- Power and control of the legal system be restored to the Judiciary. Whitehall has no business interfering with justice and the courts. The notion of 'partnership' and 'shared endeavour' with Whitehall in the running of the courts' system should cease.

Already MPs from across the Political Parties have urged the Coalition to reconsider the closures (see news reports and EDM 312 below*) And, in the foreword to *The Cost to Justice*, David Howarth, the former Liberal Democrat Shadow Secretary of State for Justice, reinforces that message and urges the Coalition to stand by its policy of voluntarism and the Big Society, to halt the closures of magistrates courts and restore control of the courts to the magistrates.

The Cost to Justice: Government Policy and the Magistrate's Courts is published by Politeia. PDF can be viewed [here](#) and hard copies are available to journalists on request.

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***Links:** To see the response to proposed closures from across the political spectrum, please check the links below.

Sky News: 'Government to close more than 140 courts' <http://news.sky.com/skynews/Home/Politics/Court-Closures-Justice-Minister-Reveals-93-Magistrates-And-29-County-Courts-To-Close/Article/201012215854350>

Early Day Motion 312 (Magistrates' Courts) signatories: <http://www.parliament.uk/edm/2010-11/312>

This press release has been signed by:

The Rt Hon Sir Menzies Campbell, CBE, QC, MP

Helen Goodman, MP, Labour Shadow Justice Minister

Ian Lavery, MP, Labour Shadow Secretary of State for International Development