

WEST DUNBARTONSHIRE COUNCIL

Report by the Clerk to the District Court

Corporate Services Committee : 28 June 2006

Subject: West Dunbartonshire District Court

1. Purpose

- 1.1** This report seeks the authority of the Committee to vary the Court Sitting diets of West Dunbartonshire District Court.

2. Background

- 2.1** The current diet arrangements for West Dunbartonshire District Court are as follows:-

Day of the Week	Venue
Alternate Mondays	Clydebank
Tuesday	Reserved for Means Enquiry Courts
Wednesday (2 out of every 3)	Dumbarton
Thursday	Clydebank
Friday	Dumbarton

- 2.2** Over the last few years, the District Court has seen a significant reduction in core business. This has been caused by the increased use of Fiscal fines by the Procurator Fiscal, an increase in the amount of cases not proceeding to trial for a variety of reasons, and the increased use of sentence discounting by the Court which has resulted in a larger percentage of accused persons pleading guilty at an early stage.

3. Main Issues

- 3.1** As a result, the average court diet now lasts no more than two hours and this is not considered to be a good use of time and resources, particularly since the various agencies involved in administering justice within the District Court require to set aside the entire day because of the possibility that the District Court will last into the afternoon.
- 3.2** Meetings have been held with the new Procurator Fiscal to discuss court business and the Procurator Fiscal agrees with the Clerk that time and resources could be better employed by varying the Court Sitting Days. The Justices Committee has been consulted but does not favour any reduction in the Court Sitting Days.
- 3.3** Although the Justices do not wish to see a reduction in the number of Court Sitting Days, it is difficult to put forward a rational case for continuing with the existing arrangements merely because these are the Court Sitting Days which have been in place for a number of years. The gradual fall off in court business has been experienced over a number of years and it has been noted

that very few summary cases are proceeding to a full trial hearing. There has been a similar reduction in the amount of business transacted at the Sheriff Summary Court. Overall, since re-organisation, there has been a 15% reduction in the number of proceedings taken through the criminal courts in Scotland.

- 3.4** The proposal now being put forward is to vary the Sittings of the District Court as follows:-

Day of the Week	Venue
Mondays (once per month)	Clydebank
Tuesday	Reserved for Means Enquiry Courts
Wednesday (2 out of every 3)	Dumbarton
Thursday	Clydebank
Alternate Fridays	Dumbarton

- 3.5** These proposals will lead to a better use of time and resources and will lead to financial savings for the Council, the Procurator Fiscal and the Police given that although the Court will be sitting less frequently, when the Court does sit, diets should be lasting for a longer period of time.

4. Personnel Issues

- 4.1** The proposed variations in court business will allow staff to concentrate on other duties when the Court would otherwise be in session.

5. Financial Implications

- 5.1** Savings will accrue to the Council because the Court will be sitting less frequently, thus leading to savings in staff time, travel costs etc.

6. Recommendations

- 6.1** Members are asked to agree to the variation in the Court Sitting Diet as outlined in paragraph 3.4.

Stephen Brown
Clerk to the District Court

Person to Contact: Stephen Brown, Head of Legal and Administrative Services, Council Offices, Garshake Road, Dumbarton, G82 3PU. Telephone 01389 737800
e: Stephen.brown@west-dunbarton.gov.uk

Background Papers: Minutes of Meeting held with the Justices Committee
National Statistics Publication – Criminal Proceedings in Scottish Courts 2004/05

Wards Affected: All