

## **COURT CLOSURE CAUSING CHAOS**

In late 2015 the MOJ/HMCTS announced that Lambeth County Court was one of the many courts that it proposed to close.

Following a 'consultation' the closure was confirmed on the 11<sup>th</sup> February 2016 – with closure due to take place in late July 2017. This then would give MoJ/HMCTS plenty of time to organise the closure

Lambeth is one of 86 courts and tribunals across England and Wales – 10 in London alone, which is/has shut.

Lambeth is, or was, said to be possibly the busiest housing court in England and Wales dealing with nearly 5,000 possession claims a year.

No notifications were sent to many of the court users, the website remained sullenly silent on what provisions were being made in the run up to the closure – this even given the long time that MoJ/HMCTS had to plan the closure(s).

A letter was apparently sent to some court users saying that possession lists would still be heard – there would be no staff and the court was effectively closed .

Next some court users received notification that possession lists would be heard at Inner London – the Duty Scheme personnel apparently received a differing information.

The confusion continued – apparently – many court users like ourselves have never received any information from the MoJ/HMCTS at all.

If the majority of court users have been left muddling along in the dark – imagine how a litigant in person must be finding the situation – aside from probably having to travel much further to a court for a hearing –they will have to find out where the hearing is in the first instance. Forget phoning the court service (more on that later!).

Of course the overwhelming question is why, when our population is steadily increasing and where the drive is currently for more social housing (as indeed is needed given current shortages) would it be considered appropriate to get rid of any courts and particularly one of the busiest in the capital?

These courts do not of course just deal with housing cases, but all manner of cases which arise where an individual or a business believes their rights have been infringed. Surely with an increasing population we will need more, or more effective courts, nor less.

Aside from the confusion and frustration arising out of the totally inept handling of the closures across the country, there is the question of the additional workload on other courts which were in any event struggling to cope with their existing workload.

Phones remain unanswered despite hanging on for over 20 minutes (a litigant in person is unlikely to do that), letters/emails never reach the court file. Only this week a colleague phoned Clerkenwell having sent through an application 3 times as it kept being 'mislaidd' only to be told that there were "hundreds of emails we are never going to find it".

Historically, and somewhat ironically, 1712 saw the re-issued Magna Carta forming part of an agreed peace treaty – it was signed at – LAMBETH. You may remember from your school days that this document is traditionally interpreted as guaranteeing certain civil and political liberties. Again somewhat ironically, Lord Denning described the Magna Carta as "the greatest constitutional document of all times – the foundation of the freedom of the individual against the arbitrary authority of the despot".

One could be forgiven for thinking that these principles are being slowly eroded.

Finally, one of the tweets from Susan Acland-Hood, CEO of HMCTS "apologise to all those who have been affected by the confusion here – not acceptable and we will learn lessons". If only we court users could believe that was the case.