Budget cuts to the Ministry of Justice will not only have a devastating effect on legal aid and the ability of big sections of the population to access justice but they will also decimate jobs and the terms and conditions of those working in the justice system.

The Ministry of Justice took one of the biggest hits of all Government departments at the Comprehensive Spending Review. The Ministry of Justice overall budget cut is 2.5 percent which means reducing staff numbers by 15,000. This breaks down to 11,000 jobs to go in the National Offender Management Service and the rest from other parts of the Ministry of Justice. Of this 15,000, 11,000 are to be cut from front line services; this means those directly delivering services in prisons and courts. Between 3,000 and 4,000 of the jobs that are to go are from courts and the tribunals’ service.

As can be seen from these figures the Public and Commercial Services Union faces the fight of its life if it is to defend its members. That is why support is needed of all those working in the courts and justice sector.

The court closure programme earmarked 157 Magistrates and County Courts for closure, which amounts to 30 percent of all courts. This means experienced and dedicated staff who know how the justice system works and who currently deliver this essential service on a daily basis being lost to the court system for ever.

Even Lord Justice Goldring seems to think that those in charge of delivering these cuts are going too far. In his initial response to the court closure consultation, he said that many of the courts listed in the consultation documents should not close and he needs more information on quite a few others before he can make up his mind.

If these closures go ahead whole counties, such as Denbighshire in Wales, will be without a Magistrates or County Court. In other rural areas those needing to attend court will end up travelling miles on costly rural public transport.

As with all cuts to public services the knock on effect for other sectors of the economy will be catastrophic. Cafés, shops and other small businesses that depend on the trade a local court brings will close. Already private companies working on contracts for the justice system are warning of redundancies. There will be the added costs of travelling further to court for lawyers and the Crown Prosecution Service not to mention more delays in court listings and in dealing with paperwork.

When these cuts were first announced we all wondered how on earth they could be implemented without the justice system imploding. It is now clear that one way the Government are going to do this is simply by cutting the number of cases that go through the courts in the first place. The cuts to legal aid will mean 547,000 fewer cases going through a court.

There are other measures designed to change the way the justice system is delivered contained in various ‘modernisation’ programmes such as ‘virtual’ courts and more instant justice in the way of fixed penalty fines for more offences. From the perspective of the Public and Commercial Services Union, this amounts to the denial of access to justice for potentially thousands of people.

For union members these programmes will mean call centre and business centre working as courts become little more than hearing centres with a skeleton staff. This is a way of working which the Public and Commercial Services Union is opposed to and is campaigning against. Our message is clear; we have court buildings and a dedicated staff, the Government...
On the picket line: a cuts agenda takes shape

Much of the legislative programme of the present Government still remains vague. Policy still takes the form of initiatives leaked to the media rather than concrete proposals. This is just as true of employment as it is of other areas of the law. Two ideas being trailed in the press give a taste of where the Government’s cuts agenda could well lead.

The first is the suggestion, made before his resignation, by the Government’s ‘enterprise tsar’, Lord Young, during an interview in November 2010 on BBC’s Radio 4’s Today programme, that the qualifying period for which workers have to be employed before they can claim unfair dismissal should be doubled from one year to two. The peer was forced to resign after he had suggested most Britons had ‘never had it so good’ during the ‘so-called recession’.

The second is a proposal, leaked to the Daily Telegraph that workers should have to pay an issuing fee when starting a claim, including 72 percent of claimants succeeded with their claim, two-thirds of all Tribunal cases have come to the Tribunal, around 310 percent, suggesting that the processes driving the increasing use of litigation by workers go deeper than this tweaking of the rules.

The reason why there are now so many Tribunal claims is that litigation fills a space left by the decline of industrial bargaining and by the decreasing independence of workplace dispute resolution procedures, so that someone who has a genuine grievance about their work increasingly has no option but litigation.

As for the issuing fee, the bias of the proposal is shown by the suggestion that workers should pay a fee but employers should not have to pay a fee to defend a claim. The employers have taken up this idea, complaining that Tribunals are dominated by vexatious and unmerited complaints. But in 2009 to 2010, two-thirds of all Tribunal claims succeeded with their claim, including 72 percent of claimants in unlawful deduction of wages claims and 54 percent in unfair dismissal cases.

If Tribunal time is wasted, there is a good case to say that the primary culprits are employers running hopeless defences to reasonable workers’ claims.

'Whoops... I don’t think I should have said that.'

24: Gay rights activist Peter Tatchell launches a campaign to overturn the bans on gay marriage and heterosexual civil partnerships. Eight couples are to file applications at British register offices over eight weeks for ceremonies they are not allowed to hold.

27: The Care Quality Commission says that mental health patients are increasingly being locked up in hospitals without legal authority. The number of people in low secure beds has increased significantly since 2006 and the regulatory body believes the practice many infringe human rights.

10r: British military interrogators may be charged as war criminals. Videos submitted as evidence in a High Court case appeared to show interrogators threatening and abusing Iraqi detainees in a secret location near Basra.

10l: The Members of Parliament at the centre of the expenses scandal lose their final appeal against being tried in the criminal courts. The Supreme Court ruled that claims for expenses were not covered by parliamentary privilege. Elliot Morley, Jim Devine and David Chaytor will now be tried at Southwark Crown Court.

12: Events commemorating the sealing of Magna Carta in 1215 are launched in Runnymede, with Lord Chancellor Kenneth Clarke, the Master of the Rolls, Lord Neuberger, and Justice Minister Lord McNally in attendance.

Lois Austin (Industrial Officer for the PCS trade union working in the PCS Ministry of Justice Group)