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# Attitudes to justice in a rural community

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*This paper offers a timely investigation into access to justice in rural areas through place-based research. The paper reports an empirical study designed to gain the local knowledge and personal experience of one particular group of rural dwellers in the hope that it might help encourage a wider discussion on access to rural justice. The research has been conducted within the wider socio-political context of austerity that provides a challenge to public-sector service delivery in general, alongside the particular legal impact of budget cuts on the provision of justice, with closures of large amounts of courts, the decline in legal aid provision and reductions in police numbers. Such are important issues for England and Wales as a whole, meaning that this research is contemporary and represents one of the first academic studies to specifically deal with the impact of austerity on access to justice. The value of this research is further heightened with its focus on the specific rural impact of such cuts as rural areas are those likely to face the biggest effect on provision while concomitantly being the least studied area of legal provision, with notably little scholarship in the past two decades into justice in rural England and Wales. Considering the damage these cuts may cause to rural justice is a current issue of utmost importance to the principle of access to justice. The paper offers the foundations upon which a new wave of academic attention to justice in rural areas should be developed, reflecting the need to give due credence to the rural in contemporary socio-legal scholarship.*

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## INTRODUCTION

The intertwined relationship between law and society means that an uneven distribution of justice can be understood as contributing to social inequality, and thus makes access to justice an important topic of enquiry. Equal access to justice is a principle at the heart of most democratic states, but academic scholarship has shown that it can be both the most proudly trumpeted yet most frequently violated of virtues.[1] The substantive right to access is a central element of citizenship, which underpins good relations between citizen and state – albeit a principle that has been increasingly undermined by neoliberalism.[2] In this challenging socio-economic climate, access to justice is a topic that Albiston and Sandefur claim to be undergoing a renaissance in research but one that, 'like any renaissance, to be fruitful ... must include important rediscoveries alongside theoretical and empirical innovations'.[3] In this vein, it should be understood that rural

**1.** D Rhode *Access to Justice* (Oxford: Oxford University Press, 2004).
**2.** H Sommerlad 'Some reflections on the relationship between citizenship, access to justice, and the reform of legal aid' (2004) 31(3) J L Soc'y 435.
**3.** C Albiston and R Sandefur 'Expanding the empirical study of access to justice' (2004) (1) Wis L Rev 101 at 102.

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access to justice is a topic that has been neglected in England and Wales over recent years but which, in the light of the centralisation of legal services that is increasingly coming to characterise justice provision under austerity, is a subject in need of revisiting. We urgently require more research to understand the impact of austerity on justice across contemporary society, with a focus on austerity's rural effects providing a specific example of austerity justice in action. This paper will offer the first attempt in what should be a revived effort at understanding how people in the countryside experience access to justice.

Any investigation of rural access to justice should not, though, start from the assumption that legal services in and of themselves will be considered of importance to those resident in the British countryside. Rather, it needs to be understood that transport is the single biggest concern of people living in the rural UK – with the issue of transport extending out into all other areas of rural lived experience.[4] In the countryside, settlements are more spread out than in urban areas, with greater distances between housing stock and employment opportunities, leisure facilities and other essential services necessary to participate in twenty-first century society. These distances plus piecemeal public transport infrastructure combine to emphasise the importance of access to cars amongst the populace.[5] Car usage is much higher in rural areas than it is in urban areas.[6] As such, when the RAC Foundation shows that the UK's poorest families spend 31% of their household income on the purchase and operation of a car, it will be the rural poor who are hardest hit.[7] Such trends are only exacerbated by fuel generally costing more in rural areas than it does in towns and cities, at 2.1p per litre more for unleaded petrol – and higher still in the most remote areas.[8] It is thus understandable that transport is emerging as, perhaps, the pre-eminent barrier to social inclusion in the countryside.[9] This is a phenomenon labelled 'mobility-related exclusion'; an absence of transport restricting opportunities to experience modern society.[10] Many young, elderly, low-paid, intermittently employed or unemployed in rural areas can thus be identified to exist in a state of transport poverty.[11] While access to employment must be a key concern here, research has suggested that unequal access to services may form an equally compelling argument for considering the link between mobility and social exclusion.[12] Access to legal services is one of the most important yet often overlooked ways in which rural areas lag behind urban areas with regard to access to public services.

**4.** J Farrington et al *Car Dependence in Rural Scotland* (Edinburgh: The Scottish Office, 1998).
**5.** N Collins 'Rural communities more isolated as public transport forgotten' *Daily Telegraph* 14 January 2014.
**6.** Department for Transport 'National Travel Survey 2010' Department for Transport Statistical Release, 28 June 2011.
**7.** RAC Foundation 'Poorest households sink deeper into transport poverty' Press Release, 6 February 2014.
**8.** Department for Environment, Food and Rural Affairs *The Cost of Fuel in Rural Areas* (London: DEFRA, 2012).
**9.** S Nutley 'Rural areas: the accessibility problem' in B Holye and R Knowles (eds) *Modern Transport Geography* (Chichester: John Wiley, 1998).
**10.** S Kenyon, J Rafferty and G Lyons 'Social exclusion and transport in the UK: a role for virtual accessibility in the alleviation of mobility-related social exclusion?' (2001) 32(3) J Soc Pol'y 317.
**11.** N Velaga et al 'Transport poverty meets the digital divide: accessibility and connectivity in rural communities' (2012) 21(1) J Transp Geog 102.
**12.** D Gray et al 'Car dependence in rural Scotland: transport policy, devolution and the impact of the fuel duty escalator' (2001) 17(1) J Rural Stud 113.

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To date there is little study on this element, with a relative dearth of investigation since studies such as the 'Access to Justice in Rural Britain' project some two decades ago. Moody calls this situation a case of *rural neglect*, with the countryside most significant in legal scholarship due to its absence.[13] In contrast, there is a plentiful and powerful literature on uneven access to services such as healthcare between rural and urban areas.[14] As such, studies into rural accessibility should include more focus on access to the institutions of criminal justice and studies of access to justice should be more aware of the rural context. This paper will seek to make a contribution to redressing this absence of investigation by reporting on a place-based study from Mid Wales looking at community attitudes to justice within a rural area. Interviews were conducted with rural residents to draw out their local knowledge and specific experience in order to try to understand access to justice from their perspective within a rural community.

## AUSTERITY JUSTICE

The accessibility of legal systems has traditionally been conceived in terms of economic barriers and, to a lesser degree, cultural or psychological barriers, but very rarely has access to justice been considered along spatial grounds.[15] As such, the barrier of space that can restrict the accessibility of legal services is a research field that would benefit from further inquiry. It is a vital period in which to initiate that process due to the ideology of austerity that has underpinned the economic approach of, first, the coalition and, now, the Conservative government of the UK since 2010, as they seek to cut public spending to reduce the national debt through developing a smaller state. As part of the austerity programme, cuts have been variously proposed and initiated to legal aid, the court infrastructure and policing. This process of cutting back public service provision in law and justice to the bare bones has been referred to as *austerity justice*.[16] The often unconsidered consequence is how such changes will have particular impacts on rural areas. Cuts to lawyers, courts and police all seem likely to exert a large impact on rural access to justice.

Legal aid cuts have been identified as creating the possibility of *advice deserts* in legal aid provision, whereby the margins of legal practice are so tight that firms will not be able to carry on operations in marginally profitable areas with low client bases, such as rural areas. On George Osborne becoming Chancellor, he conducted a review into the various savings that each government department would be expected to make, which saw the Ministry of Justice tasked with achieving one of the highest reductions of all government departments, from £9 billion to £6 billion, leading to a £350 million cut from the legal aid budget affecting both civil and criminal funding. Advice deserts have already been identified in relation to civil law, as legally aided practice has dried up fol-

**13.** S Moody 'Rural neglect: the case against criminology' in G Dingwall and S Moody (eds) *Crime and Conflict in the Countryside* (Cardiff: University of Wales Press, 1999).
**14.** See eg R Strasser 'Rural health around the world: challenges and solutions' (2003) 20(4) Fam Prac 457; or R Goines et al 'Perceived barriers to health care access among rural older adults: a qualitative study' (2005) 21(3) J Rural Health 206.
**15.** M Blacksell, K Economides and C Watkins *Justice Outside the City* (Harlow: Longman Scientific and Technical, 1991).**16.**
**16.** S Hynes *Austerity Justice* (London: Legal Action Group, 2012).

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lowing severe restrictions to funding.[17] In April 2013, the Legal Aid, Sentencing and Punishment of Offenders Act 2012 came into force and severely restricted civil legal aid, all but decimating provision, which saw the number of civil cases granted funding for representation dropping by 62% within a year, so that 623,000 people annually are missing out on help with civil legal problems.[18] The Act reversed the position that saw legal aid accessible for all civil cases other than those excluded by the Access to Justice Act 1999. Whole categories of law have been taken out of scope for legal aid, with others only qualifying if they meet specific criteria.[19] For example, there are no family law funds unless there is proof of domestic violence, forced marriage or child abduction, there is no funding for housing or debt unless there is an immediate risk to the home, and there is no immigration funding unless it involves asylum or detention.

The effects of the £215 million to be shorn from the criminal legal aid budget are only now taking hold, as is evident from the cut to solicitors' fees by 17.5%, in a reduction that was initially staggered into two cuts of 8.75% over 2014 and 2015,[20] although the second part was temporarily suspended pending review in 2016.[21] These cuts can be said to be much greater in real terms due to fees not having risen with inflation. Hourly rates currently paid are generally below the rate required for firms to break even.[22] The break-even figure would be £35.02 per hour, while a sustainable business needs £105.06 per hour. The new rates pay as little as £14.89. Again, such cuts are expected to lead to advice deserts in criminal legal aid, such has been the warning offered by solicitors who staged the first ever industrial action by the profession in protest.[23] Less profitable firms will go out of business and the only ones that can survive will be those that process a large amount of clients, thus focusing on volume work, which in practice means there will be a great deal of centralisation as firms consolidate to cover the large towns and cities and retreat from rural areas.

There are currently 460 courts and tribunal centres across the UK. One hundred and thirty-seven courts (89 magistrates' courts and 48 county courts) have closed since 2010 in England and Wales and, in 2015, the government confirmed that it will close another 91 courts (57 magistrates' courts, 19 county courts, two Crown Courts, four tribunal hearing centres and nine combined courts) in England and Wales, while a further 31 (two magistrates' courts, 11 county courts, two Crown Courts, 15 tribunal hearing centres and one combined court) are set to be integrated.[24] When this closure programme is complete, it will mean that 38.5% of courts and tribunals will have closed since 2010. The aim is to reduce what Justice Secretary Michael Gove has identified

**17.** N Byrom *The State of the Sector: The Impact of Cuts to Civil Legal Aid on Practitioners and Their Clients* (Warwick: Centre for Human Rights in Practice, 2013).
**18.** S Hynes 'A year of austerity justice' (2014) Legal Action, April.
**19.** E Howard 'Legal aid in England and Wales: what is changing?' *The Guardian* 9 September 2014.
**20.** O Bowcott 'Barristers and solicitors walk out over cuts to legal aid fees' *The Guardian* 5 January 2015.
**21.** D Barrett 'Legal aid cuts reversed by Justice Secretary Michael Gove' *The Telegraph* 28 January 2016.
**22.** J Parry 'What are criminal legal aid lawyers paid?' (2015) Parry Welch Lacey; available at https://parrywelchlacey.wordpress.com/what-are-criminal-legal-aid-lawyers-paid/(accessed 5 May 2016).
**23.** C Baksi 'Criminal lawyers warn of "advice deserts" as they stage walk-out' (2014) *Law Society Gazette* 7 March.
**24.** M Fouzder 'Infographic lays bare impact of court closures' (2015) *Law Society Gazette* 14 August.

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as surplus capacity due to the quietness of some rural courts. According to the government, those courts that were closed were 'underused and inadequate', and an annual bill of £500 million will be cut by £200 million.[25] The money saved from the closures will supposedly be invested in refurbishing courts and improving technology use within them (although the government's own figures show that, of the 163 courts closed in 2010–2015, only 52 have been sold so far). Most of the courts to be closed are located in rural parts of the UK, with Wales considered under particular threat. Because of that, court closures spark fear of *justice deserts* in rural areas.[26] The Ministry of Justice have three responses to such concerns.[27] First, they state that, following the court closures, 95% of people would still be able to access their required court within an hour by car. Secondly, they suggest that it is not necessary to physically attend court in this information age. Thirdly, they propose the ad hoc usage of alternative public buildings. The Law Society has rebutted all three points.[28]

To start, they note how it will be harder for many people (victims, witnesses or defendants) to get to court, with the travel estimates said to not take sufficient account of local geography or transport infrastructure, especially because they assume car use and thus ignore the infrequent and indirect public transport services that characterise rural areas. More so, for those using public transport, they will often face the difficulties of accessing peak time services and, as a result, pay premium rates for their travel. Considering the increased use of technology, they welcome such developments, but note that the technologies are not yet available at all the courts to which business is being redistributed, and that the money to be saved from closing courts might be better used to increase the efficiency of the current ones. This consideration seems especially salient given that the government's efficiency drive seems to be operating in reverse, in taking work from underused courts to busy ones, which will only add to backlogs of work and overly long waiting times when the spare capacity of the quieter courts could have been better utilised. On alternative venues, they note that such provisions are completely untested and raise numerous concerns such as security or whether there would be adequate facilities such as video link, witness/defendant segregation or interview rooms in public buildings. If, as seems likely, there are currently not such facilities, they would need to be installed, at a cost that might be better spent on maintaining purpose-built courts with superior and, crucially, relevant facilities.

Police forces in England and Wales face budget cuts from the Home Office of 20–40% by 2020.[29] In order to achieve this, the government have proposed reforming the pragmatic system of funding local police services, which developed in a piecemeal manner responding to need, but that they consider to be too complex and in need of simplification. The new funding formula takes four key factors into consideration: overall population; the number of unemployed families with dependent children; urban deprivation; and the number of bars and pubs per hectare. While police forces have accepted the value of focusing on deprived areas in densely populated towns and cities, it is said

**25.** J Caird *Court and Tribunal Closures* (London: House of Commons Library, 2015).
**26.** M Leftly 'Court closures spark fears of '"justice deserts" in rural areas' *The Independent* 19 April 2014.
**27.** Ministry of Justice *Proposal on the Provision of Court and Tribunal Estate in England and Wales* (London: Ministry of Justice, 2015).
**28.** Law Society 'Law Society: court closures will inhibit access to justice' Press Release, 8 October 2015.
**29.** Editorial 'Police cuts: new funding formula underestimates the needs of rural areas' *The Independent* 2 November 2015.

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to unfairly penalise rural areas, especially through underappreciating the amount of non-crime work in which the police are engaged.[30] It means that large rural forces, such as Devon and Cornwall, will get a smaller share of the overall pot; while Cumbria, for example, is facing cuts of almost £10 million, North Yorkshire will see cuts of £16 million and Lancashire £25 million. These new cuts follow budgets that have been cut by a fifth over the past 5 years, which has reduced the number of officers in England and Wales by 17,000. A further 20,000 jobs would be lost by 2020. Chief Constables as well as Police and Crime Commissioners have been vocal in their opposition to these plans; in particular, noting the extent to which rural policing will be compromised, meaning that police forces will have to stop investigating some types of traditionally rural-specific crime such as petrol theft (including syphoning petrol from vehicles, theft of central heating oil and theft from farm fuel supplies) or wildlife crimes (such as badger-baiting, hunting with dogs and poaching). Such crimes consume significant police resources. The new formula may have been a reaction to previous criticism and threats to sue the Home Office by urban police forces that had originally been due to lose out on funding to county constabularies, thus prompting a reversal to a scenario that now penalises the rural.[31]

The proposed cuts that will adversely impact on rural areas were announced around the same time as a report by the National Rural Crime Network showed that rural crime cost victims more than 20 times the amount previously estimated.[32] Rural crime in England and Wales was said to cost more than £800 million in 2014, with an average cost to victims of £2500 for households and £4000 for businesses. The report highlighted the need for rural policing, as much of this crime involved damage to farm equipment or isolated property thefts. The reports' chief recommendation was for a fairer funding proposal to be produced that reflects the true cost of policing rural areas, taking into account that the provision of police services over large, sparsely populated geographical areas is relatively expensive in per capita terms, and only gets more challenging as what resources there are become squeezed. Such considerations are largely ignored in the new proposals. Another consideration that is not taken into account is the impact that tourism has on many rural areas. To return to North Yorkshire, the area has 18 million visitors annually, with rural tourist hotspots tending to be busy for a highly concentrated period during the summer months, thus exerting a knock-on effect for the relevant police forces. Dyfed-Powys Police, the largest force in England and Wales, covering over half the landmass of Wales, has previously published information outlining the specific complexities demanded by rural policing wherein officers have to manage such a wide array of time-consuming issues affecting dispersed populations stretched out across a wide area.[33] Responding to cuts, the force are engaged in a reorganisation effort aimed at centralising (and streamlining) support functions to ensure that they can still provide an on-the-beat presence across the vast region.[34] They will find

**30.** M Evans 'Police budget cuts branded "madness" as rural forces complain they are being unfairly penalised' *The Telegraph* 3 November 2015.

**31.** A Travis 'Police force threatens to sue Theresa May over funding plans' *The Guardian* 4 September 2015.

**32.** National Rural Crime Network *The True Cost of Crime in Rural Areas* (Tavistock: National Rural Crime Network, 2015).

**33.** Dyfed–Powys Police *Dyfed–Powys: Policing Rural Communities* (Carmarthen: Dyfed–Powys Police, 2013).

**34.** Dyfed–Powys Police *Dyfed–Powys: Responding to Austerity* (London: Her Majesty's Inspectorate of Constabulary, 2014).

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it hard to cope with cuts to their budgets in ways that urban forces may not. Austerity, then, is coming to rural justice in all its manifestations.

## JUSTICE IN RURAL AREAS

On one level, the impact of austerity justice on rural areas will be a simple one, of a lack of justice provision; the quantity of justice will decline as the institutions of justice retract from rural areas and consolidate in the large towns and cities. It makes sheer economic sense to centralise resources in this way if cost savings are to be made. Such a process leads to the advice or justice deserts and the lack of police on the street. This will be a very significant development in its own right, through potentially stopping people from accessing services all together or, at best, making it more difficult to do so, which may have the effect of putting some people off seeking redress or getting help. Further, it will also undermine public trust in justice. Local justice services are important because, as the Crime Survey for England and Wales as well as the European Social Survey show, contact with the institutions of justice works to produce trust in the criminal justice system.[35] Positive contact with police, lawyers or magistrates promotes trust and, by extension, shapes the perceived legitimacy of the system in the eyes of the public, as such experiences encourage a sense of acceptance upon this authority. Thus public cooperation rests in part on the ability of individuals to get a feel for the justice system, and such processes are made far easier when the institutions operate at a local level and come closer to peoples' everyday lives. Research studies have shown that when justice is detached from lived experience or personal knowledge, public perceptions of criminal justice become shaped by sensationalist media reporting and second-hand gossip.[36] People are happier, feel safer and become more engaged with local justice.

Another consideration on how a decline in local justice provision in rural areas will impact populations involves understanding the distinctive local legal cultures that coalesce around legal institutions and justice services in rural areas.[37] Local legal actors mould service provision to fit local conditions.[38] For example, social life in rural communities has been said to place a premium on personal relations, with day-to-day life characterised by intimacy, familiarity and high visibility, which has an impact on the role that the institutions of justice should play in order to conform to local expectations.[39] Residents know one another and are aware of family histories, active social networks mean that people stay attuned to local events and there is a relative homogeneity compared with urban areas, all of which creates a great deal of social cohesion.[40] In such scenarios, the

**35.** M Hough et al *Attitudes to Sentencing and Trust in Justice: Exploring Trends from the Crime Survey for England and Wales* (London: Ministry of Justice, 2013).
**36.** See eg K Jamieson and M Hennessy 'Public understanding of and support for the courts: survey results' (2007) 95(4) Geo L J 899; or J Sprott 'Understanding public views of youth crime and the youth justice system' (1996) 38(3) Can J Criminology 271.
**37.** T Church *Examining Local Legal Culture: Practitioner Attitudes in Four Criminal Courts* (Washington, DC: National Institute of Justice, 1982).
**38.** K Boyum 'A perspective on civil delay in trial courts' (1979) 5(2) Just System J 170.
**39.** J Eisenstein 'Research on rural criminal justice: a summary' in R Green, J Jankovic and S Cronk (eds) *Criminal Justice in Rural America* (Washington, DC: National Institute of Justice, 1982).
**40.** C Edmondson 'Rural courts, the rural community and the challenge of change' in T McDonald, R Wood and M Pflug (eds) *Rural Criminal Justice: Conditions, Constraints and Challenges* (Salem, WI: Sheffield Publishing Company, 1996).

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expectation is that personal relationships and cohesion keep the local community functioning, so that any system of justice that was to prove too divisive or impose alien antagonisms on the local community would be rejected.[41] As such, local justice institutions should act so as to fit in, through being informed by local sentiments, in order that they are not disruptive and do not create tension. With such considerations in mind, rural courts are supposedly more effective than courts in urban areas as, due to their typically lower case volumes and closer ties to the surrounding community, they have a greater relevance to the particular local area in which they are situated than might be possible in courts spanning more diverse and disparate populations.[42] This community orientation, then, potentially sets apart rural courts from their counterparts in large towns and cities, which is to suggest that their isolation from the wider legal system and main centres of population, alongside the tamer pace at which they operate, are virtues that allow for a greater sense of local justice.

Lawyers in rural areas are considered different too, renowned for taking a characteristically paternalistic attitude, whereby they see themselves as serving their local area and, as such, take some degree of ownership and responsibility, facilitated by a small number of lawyers covering distinct areas.[43] Franklin and Lee show that rural law firms are culturally embedded in their community and, as such, have a distinctive connection with the local society that is not seen to a similar degree in urban firms.[44] Rural policing, similarly, has been traditionally cast as being of a different nature to metropolitan policing, with much more emphasis on local policing in England and Wales thus reaching closer to the community-centred ideal.[45] For one thing, there are particular issues commonly identified for policing in rural areas, such as around the traveller community,[46] raves,[47] wildlife crime[48] or crime involving agriculture[49] – and even within more all-encompassing issues such as domestic violence, which has often been ignored in rural areas, and where there can be sensitivities based on the small communities that must be borne in mind.[50] Local justice, then, is a social phenomenon, but one that would be lost if legal institutions dealt with rural life from afar. What is needed is research to try to address the impact that such changes may have, and that is what is offered in this paper.

**41.** K Fahnestock and M Geiger 'We all get along here: caseflow in rural courts' (1993) 76(5) Judicature 258.
**42.** A Bartol 'Structures and roles of rural courts' in McDonald et al, above n 40.
**43.** K Economides 'The country lawyers: iconography, iconoclasm, and the restoration of the professional image' (1992) 19(1) J L Soc'y 115.
**44.** A Franklin and R Lee 'The embedded nature of rural legal services: sustaining service provision in Wales' (2007) 34(2) J L Soc'y 218.
**45.** R Mawby 'Rural police: a comparative overview' in R Mawby and R Yarwood (eds) *Rural Policing and Policing the Rural* (Aldershot: Ashgate, 2011).
**46.** R Hester 'Policing New Age travellers: conflict and control in the countryside' in Dingwall and Moody, above n 13.
**47.** A Barton, D Storey and C Palmer 'A trip in the country? Policing drug use in rural settings' in Mawby and Yarwood, above n 45.
**48.** N Fyfe and A Reeves 'The thin green line? Police perceptions of the challenges of policing wildlife crime in Scotland' in Mawby and Yarwood, above n 45.
**49.** J Donnermeyer, E Barclay and D Mears 'Policing agricultural crime' in Mawby and Yarwood, above n 45.
**50.** G Squire and A Gil '"It's not all Heartbeat you know": policing domestic violence in rural areas' in Mawby and Yarwood, above n 45.

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## THE CRUCORNEY RESEARCH

This research involved interviews conducted with one group of rural residents to investigate their views on local justice services. It used a purposive sample for these interviews, a commonly deployed form of non-probability sampling wherein decisions concerning the individuals to be included in the sample are taken by the researcher, based on a judgement of the participants' potential to generate relevant data allied to practical considerations that they would be willing to take part.[51] The purposive sample may be chosen for a variety of reasons, but is most likely when the individuals under consideration possess particular knowledge or have had specific experiences that allow them to be used as a case study.[52] In this paper, residents of a Mid Wales Monmouthshire community called Crucorney were selected in order to share their first-hand experiences of the issues around access that affect residents of rural communities. Rural Wales was selected an appropriate location to investigate access to services due to extensive research from the Wales Rural Observatory that has shown an inadequate yet still declining level of rural service provision, which goes hand in hand with significant problems over the availability of rural transport and the need for car use.[53] For rural residents who cannot use a car, they are reliant on bus provision that, since deregulation in the 1980s, has seen consistent levels of service reduction and decreasing satisfaction rates.[54] Despite notable Welsh Government–funded initiatives such as the on-demand Bwcabus in rural South-West Wales, subsidy cuts are seeing major providers scale back their operations in less profitable rural areas around the country.[55]

The specific community surveyed, Crucorney, is best conceptualised as a collection of small settlements spread out over 5 miles across a valley at the edge of the Brecon Beacons National Park. It consists of Cwmyoy, Forest Coal Pit, Llanthony, Pandy and Llanvihangel. The first three places are isolated collections of scattered houses with farms and cottages, whereas the latter two areas could be classed as villages with limited amenities. The nearest town is Abergavenny, a market town with a population of around 10,000 people. Abergavenny is 7.3 miles from Cwmyoy, 4.5 miles from Forest Coal Pit, 10.8 miles from Llanthony, 5.9 miles from Pandy and 4.8 miles from Crucorney. Most local services are provided in Abergavenny. There is a direct road for drivers and there are bus services to the town from Pandy and Llanvihangel, but there are no buses for the other three areas and there no rail links in any of the five settlements.

The research was conducted in partnership with the Crucorney Energy Group, a community group covering the five settlements that promotes sustainability and encourages local residents to work together to foster a greater sense of community. We had previously worked together on a project looking into local transport issues funded by the

**51.** M Miles and A Huberman *Qualitative Data Analysis* (Beverly Hills, CA: SAGE Publications, 1994).
**52.** M Patton *Qualitative Research and Evaluation Methods* (Beverly Hills, CA: SAGE Publications, 2002).
**53.** K Moles and J Radcliffe 'Deep rural communities: exploring service provision in rural Wales' in P Milborune (ed) *Rural Wales in the Twenty-First Century* (Cardiff: University of Wales Press, 2011) p 248.
**54.** J Preston *A Fair Deal? Regulation and Financing of Bus Services in Wales* (Cardiff: Public Policy Institute for Wales, 2014).
**55.** J Wild 'Bus operators in Wales threaten to cut services' *Financial Times* 22 November 2013.

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Countryside Council for Wales.[56] The previous research involved a postal survey that established Crucorney as a community reliant on travel to access services (76.3% went to Abergavenny), with high car ownership levels (94.4% owned a car) and frequent car usage (89.6% used a car to access services). All accepted that they would have to travel to use services. With access to the Crucorney community through our work on rural transport, the area was an obvious first port of call for considering views on access to justice in rural communities, but especially so considering that the area was one of those to be affected by the government's court closure programme. In 2015, Abergavenny Magistrates' Court was marked for closure, with its work being moved to Cwmbran Magistrates' Court, which is 15.3 miles beyond Abergavenny and thus 20–25 miles from these communities. In addition, the council has raised concerns that the nearest police station, Abergavenny, has been put forward for closure as part of Gwent Police's efficiency drive, which would mean that the nearest manned station would again be in Cwmbran, probably with a skeleton service provided with Abergavenny Town Hall. The nearest law firms are also in Abergavenny, where there are five, two of which provide criminal legal aid: it remains to be seen how they are affected by the legal aid cuts, but one of these firms has a second office in Crickhowell (5.9 miles from Abergavenny), which could conceivably be merged. Crucorney, then, represents the 'perfect storm' of police cuts, court closures and legal aid changes that, it has been claimed, will disproportionately affect the provision of justice to communities in rural Wales.[57] As such, the Crucorney community provided an excellent sample through which to explore how rural residents related to legal services, and how they reacted to the possibility of cuts and centralisation of the institutions of justice. In this manner, they offered a valuable purposive sample with which to work, allowing for a place-based insight into rural access to justice in 2015.

The Crucorney Energy Group provided an initial list of 649 properties that make up the area. Through conducting the fieldwork, it became evident that 68 of these properties were holiday homes and 30 were caravans, and so were not visited by the research team. Fieldwork also highlighted the fact that around 25 properties were second homes that were apparently unoccupied at the time of the research, with neighbours informing the researchers that the households were empty during the study. In the week preceding the fieldwork, a letter was sent out offering householders the opportunity to opt out of the research (or to arrange to be interviewed by another means if they would not be available at home during the fieldwork period). Fourteen choose to not take part, most of whom cited the reason that research on accessing local services would not be relevant to them, as they had their own cars and could drive wherever they chose. One respondent noted that 'basically we live in the country and we sort ourselves out'. A revised list of 512 properties was considered as being relevant to the fieldwork, of which householders from 97 participated, giving coverage of 18.9% of households.

Across the various formats, householders were asked questions from a semi-structured interview script. The interview started by briefing participants on the manner in which the researcher attempted to find out about local experience of travel needs and access to services. They then moved on to explore issues of rural life such as the reasons why householders chose to live in the area, their perceptions of rural living and the positives/

**56.** D Newman *Crucorney Energy Group Transport Survey 2014* (Cardiff: Sustainable Places Research Institute, 2014).

**57.** D Williamson 'Warning that Wales faces a "perfect storm" of police cuts, court closures and legal aid changes' *Wales Online* 30 October 2015.

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negatives of the countryside. Next, the interviews looked at attitudes and usage of transport, questioning where householders travelled, how they got there and the reasons behind such choices. After this, the interviews addressed the provision of local services, asking householders to reflect on what services they had access to, whether this was sufficient and what they would like service provision to look like in the future. Finally, the interviews focused on access to justice provision in particular, probing experiences and perceptions of legal services and court provision as well as considering police services. All questions were informed by local knowledge, drawing on the expertise of the Crucorney Energy Group as well as the research team's previous experience of working on the community's travel survey. Interviews lasted for between 30 minutes and an hour, and were analysed using thematic analysis.

Thematic analysis was used as a valuable method for identifying, analysing and reporting patterns across a data set that, thereon, minimally organises this information in rich detail.[58] Accordingly, the three sections of results in this paper follow the guidelines for conducting good thematic analysis set out by Braun and Clarke, to ensure that any themes identified match the original data.[59] In this way, it is possible to draw out the worldview of the participants without unduly imposing my own biases as a researcher (for example, what issues I think are important) and, as such, I keep them relatively free from critique and do not compare them to the academic literature. There will always be some level of debate about how large a sample is necessary in qualitative research such as this, with suggestions ranging from 20 to 400 responses for reliable findings.[60] Guest et al have shown that, for studies that use thematic analysis on purposive samples, as few as 12 interviews are sufficient to produce a workable data set.[61] As such, the 97 responses received for this survey can be considered of value in helping to paint a picture of how one rural community relates to justice and, in so doing, this place-based study of rural access to justice offers a unique contribution to the literature, which will hopefully help to illuminate understanding of community experience. This study will not seek to generalise for all rural communities, even those in Wales, but it does try to offer local knowledge from this particular community to help stimulate wider debate. In the three sections that follow, responses on the issues of lawyers, courts and the police will be organised according to the dominant themes that emerged from the interviews.

## LAWYERS

Discussions on rural justice started by talking about lawyers, who were a key inspiration behind the study, as so little was being written about the impact that the cuts in legal aid remuneration and duty contracts would have on remote practices, outside the most populous urban areas. There was, though, a general lack of interest in the topic of lawyers. A number did not respond to the line of questioning on lawyers, with 15.5% (15 out of 97) not reacting to the topic and offering no comment. They would not talk about lawyers at all. That a significant proportion declined to address the topic of lawyers, despite

**58.** G Guest *Applied Thematic Analysis* (Beverly Hills, CA: SAGE Publications, 2012).
**59.** V Braun and V Clarke 'Using thematic analysis in psychology' (2006) 3(2) Qual Res Psychol 77.
**60.** A Fugard and H Potts 'Supporting thinking on sample sizes for thematic analyses: a quantitative tool' (2015) 18(6) Int'l J Soc Res Meth 669.
**61.** G Guest, A Bunce and L Johnson 'How many interviews are enough? An experiment with data saturation and variability' (2006) 18(1) Field Methods 59.

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it being pushed in the interviews and taking up several questions in the online surveys, highlights a sense of ambivalence among some that must be recognised.

Turning to those who did talk about lawyers, the disinterest of those mentioned above can be reflected in a majority of all respondents – 58.8% (57 out of 97) – expressing opinions to the effect that access to lawyers was 'not important', had 'no relevance' and that law firms were 'not a significant rural issue'. Many discussed how they had never used a lawyer and, even amongst those who had, this was generally for wills and conveyancing, two types of law that the residents considered exceptional yet mundane, so that this did not raise access to any level of significance for them. This left 25.8% (25 out of 97) of respondents who did consider lawyers to be a pertinent matter, although it needs be acknowledged that the survey did push them to consider lawyers and there were numerous comments along the lines of 'I've never thought about whether lawyers are important before' or 'Yes, lawyers are important when I actually come to think about it'.

Among all respondents, though, was general agreement that it was fair to think that you might have to travel to get access to a lawyer. There was a general sense of pragmatism on this issue, with the expectation that a rural dweller should have to drive to use any services, including legal services, as in the following quote:

> The solicitors are in Abergavenny. I can get to them easily enough because I drive. It's close enough for me and for most people here because you do have to drive really. If you can't drive then that's not great but I'm not sure they could realistically be any closer, they just wouldn't get the business.

Many compared the situation to other services, as with the next respondent:

> We have less favourable access to solicitors but no more so than to doctors or dentists who are far more valuable.

Thus even among those who saw the value of legal services, travel was expected, especially considering the need to do so for services that were perceived to be of greater value.

Aside from travel, talking about lawyers led to three main themes emerging from these interviews around the utility of local knowledge, whether a personal service was important and touching on issues of remote access.

## Local knowledge

One topic of conversation centred on lawyers' knowledge of the local area, with mixed views on the importance on this trait. Some of these respondents identified the value of having a lawyer drawn from the community, as in the following examples:

> I've previously used a solicitor in Abergavenny, which was an excellent service. It was very homely. I guess that means I do find a local service important. I felt comfortable and at ease because they were very much part of the community. Yes, I can imagine it could be an uncomfortable experience if you go to a strange town where you don't know anything, especially if you are talking about something awkward.

> I think it does matter that lawyers come from the community and know the lifestyles of those they represent. Personal experience of an area provides the best context in which to understand the behaviour of its residents.

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By this line, local knowledge is a valuable commodity:

> Yes, it does matter that lawyers come from the local community – but it's up to you to ask them a list of questions to see if they understand the matter in the context of deep rural issues.

Several respondents picked out the importance of knowing about agriculture in such a rural area:

> Farmers need access to solicitors that understand how to communicate and not just send letters and be overly formal.

> I use a solicitor from Abergavenny to sort out my will. If there was one closer then I would use them but the distance to Abergavenny isn't a problem. Not really. Local knowledge is very important for legal services. Take my brother for example. He moved accountants because his old one didn't have the appropriate level of agricultural knowledge he required. It is better to have a specialised person who knows the area.

For most respondents, though, there are more important factors to consider than locality:

> It doesn't matter whether lawyers come from the community and know the lifestyles of those they represent.Local knowledge isn't important. The law has to be applied equally to all regardless of background.

For the majority, the quality of the lawyer trumped whatever local knowledge they had for many, as in these quotes:

> Knowledge of the local area isn't important but recommendations and having a good reputation are what most people are looking for.Competence in the things I used them for is more important than location. Local knowledge isn't important if they listen and gain experience.

### Personal service

Discussions of local knowledge tended to go hand in hand with respondents considering the value of being provided a personal service and thus using a solicitor known to them, with whom they could develop a relationship. A small number reflected on the benefits of the personal aspect of the lawyer–client relationship in the local law firm:

> I've never really thought about solicitors, whether they need to be local but, do you know what, I think they do, really. Local knowledge is important for something like that – they need to know where you come from, who you know, maybe what trouble you've been in or what kind of place you want to buy, who's involved. Yes, the solicitor should be local, that's important.

The following two respondents drew contrasts with firms from outside the local area:

> Help has to be local; it needs to be there for you when you need it. You need someone there you can talk to, someone who understands you and what you represent. It is important that solicitors understand local thoughts and experiences. City lawyers only have an interest in money. You compare city offices with their glass windows and everything perfectly in its place, clinical, to the local Abergavenny office, which is dusty, old, messy and comfortable to approach.

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> I once used a solicitor in Abergavenny but they travelled to my home. I liked that personal touch. I think that's something you would only really get with a local firm because they would take the time to get to know you and to treat you as an equal. You are not just a customer, another name in the book. You are a face from the community. I appreciated them coming out to see me so I would always go local in the future, I would definitely go back to them.

They were happier with a local law firm that felt more like the rural community to which they belonged.

Most respondents, though, took the opinion that a working relationship could be struck up with a lawyer wherever they were from:

> I have a solicitor; he's based in Crickhowell, what, twelve miles away. I will always use him. Yes, I have to drive but I don't mind doing that at all when it's worthwhile. When there's someone you trust and who knows you then you will go to them. Our family solicitor is in Swansea, the one in Abergavenny wasn't any good for us personally. Distance wasn't an issue and didn't play a part in us choosing our solicitor. It was just too messy when we tried the Abergavenny service so we went to the one I trusted – and we will keep doing it.

**Remote access**

A final theme to emerge from the lawyer part of the interviews was thinking around remote access, thinking particularly of using telephone or online services. There was a divide among respondents on this topic. Most regarded remote services as a good thing, as in these quotes:

> Most anything you need can be done online. If I had to use a lawyer, I would try to use the Internet.You should be able to do it all online.

Some were already dealing with law firms largely on a remote basis:

> My solicitor is in Pontypool so that's about 15 miles away. Not exactly local but I don't think that really matters. Not to me. I mostly use email and phone calls to sort out problems. The distance isn't an issue really. If I needed to go I would just set up an appointment for when I had the car.

Despite the enthusiasm for online services, there was widespread scepticism that it would work due to the age profile of the area and the poor Internet connectivity, as reflected by these respondents:

> Online legal services are interesting but wouldn't work round here. The broadband is just too slow. Older generations would struggle with the idea. It wouldn't work for them.It's no good having online legal services for someone like me. The Internet is so slow here. So I don't think it would work to do legal meetings on the Internet; it would take longer than driving to the offices even if they were ten miles away. And lots of older people like me just don't use the Internet anyway, so how could we sort out legal problems that way?

There was also a small minority who did not like the idea of remote services and would prefer face-to-face contact (whether local or not):

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> Legal services must be provided face-to-face, though that doesn't necessary mean they need to be local. They just need to be there. It's a different thing; as long as you can get to the service then that's all that matters.

## COURTS

Following questioning around lawyers, the interviews moved on to consider courts, with the effect of the government's desire to reduce the court estate on the provision of justice outside the metropolis forming the other chief motivation for this research. The questions on courts got a better response than those on lawyers, with only a handful – 4.1% (4 out of 97) – not discussing the issue. The higher response rate showed greater engagement with the subject of local courts, although, again, it should be said that most respondents had not previously given the issue much thought.

Many respondents did not know where their local court was. They would often guess ('Is it Abergavenny? I've never noticed it but I feel like it should be') and then sometimes got it wrong ('I suppose it's in Hereford – or is it Newport?'). A large number admitted it was not an issue that had ever held any particular relevance to them, commenting that they had 'never used it', 'not affected us' or 'not something I've ever had call for'. Most were unaware about the closures that had happened or were proposed. Following on from this consideration that it rarely came up in day-to-day life, there was a split on whether or not it was a significant local issue.

Although the numbers for and against seeing courts as important to rural areas such as this were close, there was a slightly higher proportion in favour at 49.5% (48 out of 97) than against, 46.1% (45 out of 97). Even among those who valued the courts, though, there was often an eagerness to place them into context ('other things, like the Post Office or supermarkets, they're part of your daily life: courts are not'). In general, the responses showed a significant degree of concern about the courts, although the views on travel echoed those towards law firms, with almost all considering it a fair assumption that travel would be needed. The dominant view is reflected in these quotes:

> I drive to the dental practice in Crickhowell. And the GP. So I have to drive but you accept that. It isn't ideal but that is the reality of life in a rural area. So it makes sense that you have to drive to a court, which is something you would use a lot less anyway.

> Court closures don't really affect me as I've never had to use them (touch wood) and, if I did, I would just drive like I have to drive everywhere else.

Aside from questions of travel, three main themes can be identified in the conversations around local courts concerning their role in forming part of a community, questions over whether it would be economical to maintain a court and a transport-related consideration about victims having to travel out of the area.

### Community hub

Most of the respondents who expressed their belief in the importance of local courts did so by invoking the role that they might play in the community. For this group, taking a court out of a town, as with the Abergavenny Magistrates' Court, was seen as one more act of desecration with regard to the idea of community identity, another dissection from the core. Those who saw the courts as a community hub in this way are reflected by the following quotes:

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> In Abergavenny, the court is at the heart of the town. It's just off the high street and is one of those establishments that tie the identity of the town together. You don't need to have ever used it to feel sad that it would go. It's just another little piece of local history being taken away.Abergavenny was a fine town once upon a time but gradually, and bit by bit, you see it all being chipped away. Losing these important institutions takes the soul of the place away because anything of any importance becomes removed to another town or city and the idea of an old county town being an organising hub, a place for people to build their lives around, is lost. I find it very sad for the town, for the community.

For some respondents, the loss of courts can be tied into a wider decline of community related to incomers and their desire to be left alone in a peaceful rural idyll, as in this quote:

> It's hard to say whether justice is important for a sense of community as we don't have a community in this small village; people are too spread out. But back when I lived in Abergavenny, it certainly helped back then, what 20 years ago. It helped to have all those functions like the Magistrates' Court, the police station, you felt like you were in a community. Now that's all gone – or going – and, with the outsiders that have come in, I think that's all lost for good. They don't want to be in a community, they want their quiet country life when they get home from work.

A small number of respondents suggested that courts should be located in their local community to ensure that the law reflected what local people thought. They were concerned at it becoming detached from local experience. The following quotes show this view:

> If you take courts out of the community, what is there to make those judges or the lawyers there pay attention to local people or local issues? If the court goes from Abergavenny, I don't see how Abergavenny is represented in the justice system anymore.

> For most of us, thankfully, courts aren't a part of our lives but you would like to think that, if you did need to go to court, the people there – the magistrates, whatever – would reflect the community, that they would understand our issues. I don't see that now, how would that happen if the court was 20 miles away?

**Will it be used?**

Many respondents, whether they thought it was important to have courts locally or not, entered into discussions about the economic value of keeping courts local, questioning whether they would be used enough to justify the cost at a time of austerity and wider cuts to public spending. Such a view was captured by the following respondent:

> It would be nice if there were still local courts but it's just the way of the modern world. Justice services probably aren't affordable if you make some cost/benefit analysis at a local level for somewhere like here.

Without knowing the actual low usage figures for Abergavenny Magistrates' Court, many (rightly) assumed that it must be underutilised and thus mused on whether this made it worthwhile spending money on it:

> I don't suppose it gets used that much, I mean we're a quite dispersed area – and a peaceful one at that. I can image something like a GP surgery would be used

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innumerably more so, if it came down to a decision about which one could be maintained locally, it would make sense to go with the one that more people relied on.

I've never been to court and I don't know anyone who has been to court. We're a quiet little area, even Abergavenny really when you compare it with a big town or Cardiff. So I just wonder, is it a case of efficiency? They're cutting so much now and the court was probably low down on the list of priorities, even if it is sad to lose it.

Several respondents questioned whether the court closures might be short-term thinking, as with this quote:

I've lived here for 50 years and, over that time, you see a lot of things come and go; you get used to people closing things down to save money. And it's often short-sighted because they'll decide decades later that they actually need it and then pay to rebuild it. It's like the train station, I remember when we had a train station here but that closed in 1953. Well, now we realise that the best thing for the village would be a train station so everyone can get around; it will be cheaper than the expensive fuel we have to pay up here. Well, I wonder if the court will be like that: in a decade's time, we'll have a survey come round here talking about reopening a court because people realised they preferred to have them cover the whole country.

A couple of respondents suggested that the courts were worth it no matter how much it cost, as in the following:

I didn't know Abergavenny was closing but I'm not surprised, you can't put a price on justice but politicians always want to save money and do things on the cheap. What is there to remind people? I'm not being patronising or judgemental but young people need to be taught lessons (that's how we all learn) that they can't just do what they want.

### Victim and defendant

The final consideration around courts concerned worries about what would happen to victims who had to travel further at a distressing time. Abergavenny was seen as the right distance for a court; moving beyond that, people began to get concerned. These respondents, though, were not especially worried for themselves, with most talking about how 'I could drive to court if I ever need to' or 'I've always got people I can call on. God forbid I need to go [to court] but I would manage it'. There was some concern that some victims of crimes may have to use public transport and then see the defendant too, as in the following:

It's ludicrous that victims and those they accuse might have to travel on the same public transport to get to a more remote court. Surely victims should be provided with transport by the courts?

I find it quite worrying to think that a girl might have been hit by a man and then have to sit across from him as they get the bus to wherever. That must be horrible and it is bound to happen when you have to travel for courts; lots of girls don't drive.

A couple of respondents recounted personal stories about people close to them who had gone through such an experience and how upsetting they had found it, especially when the person they knew who had made the accusation found themselves surrounded, on public transport, by the family of the individual they had accused.

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## THE POLICE

Originally, the police were not intended to be a part of this study, which was reacting to the two government policies on cutting legal aid and reducing the court estates, and how rural communities would be affected. During the fieldwork, though, speculation arose about the potential cuts to police numbers but, more importantly, local residents themselves identified concerns around police as the area of rural justice that was of greatest significance to them; it was the police and the local police station that they really cared about with regard to justice services.

Only three interviews did not touch on the police and those were especially short interviews wherein respondents had dismissed any form of questioning on matters of justice, closing down conversation with sentiments such as 'I don't feel the questions on legal services are relevant to me; I assume they are there as a funding requirement' or 'I can't really answer them because I have no experience and don't see how they relate to my life'. In the rest of the interviews, all but four respondents claimed that matters of local police provision were significant, a massive majority of 92.8% (90 out of 97). There was a great deal of concern that the police station would move further away and that the police would stop visiting the community as much.

This consensus highlighted the fact that the police were the prominent local justice issue for the respondents in this survey. Indeed, discussions around the police became a good way to encourage respondents to think about justice more generally, and it is fair to say that, for some, their engagement on topics such as lawyers and courts revolved around the role they played in ensuring the relevance of a local police force. The following quotes sum up this attitude:

> I worry about there being no police. If the courts go then it makes sense for lawyers to leave as well, it's where they work so they will follow the work. But with all of that gone, what's to stop the police from following? They can say that they need the courts and they need to be close to lawyers so have to reallocate their resources. It's a worry.

> Yes, it would be nice to have more local courts and lawyers would be useful too; we need more local services generally. It's part of a wider process though, there being less and less local, and by that I don't just mean in Llanvihangel, I mean in Abergavenny too, which used to be a big town but is increasingly just houses. What we need is police. Of course, we're a village and I'm not being unrealistic but even in Abergavenny. And now they come from Cwmbran I believe. Soon it'll be Newport. It's like we're being made to fend for ourselves. And yes, we're local people here, you tend to know everyone, it's the same faces that have been around for years but we still need protection. And with all these new estates they're building, there are outsiders in the area and most people are decent – I'm sure of that – but it's dangerous to make assumptions and we pay for police to protect us and make sure we don't have to worry about these things. So, yes, courts are important but police is the big one.

Some articulated it more clearly than others, but there was a pervading mood that could be identified suggesting that a chief concern around losing lawyers and courts was that it might have the knock-on effect of justifying the police retreating from the local community as well. The anxieties this produced can be seen in the three main themes that emerged around the issue of the police leaving the local area; the loss of police on the streets, the effect this might have on vulnerable local people and the specific nature of rural crime.

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**Bobby on the beat**

One of the most popular complaints about the perceived decline in local police services revolved around the idea of actually seeing police on duty, walking around the community. Many respondents raised this issue, as in the following pair of quotes:

> I know it's a cliché but you never see police on the streets anymore and, while I know we're not in some London gangland here, it makes you feel safer. You want to see the police.

> I don't remember the last time I saw a policeman on patrol. And that's a worry. You certainly used to see it a lot and it made you feel safer but society is changing and the police, locally and in the smaller towns and villages at least, are disappearing.

A large number of respondents made the point that they were paying tax for the police and so they deserved to see them in the area:

> I'm not sure how important it is to have courts locally but the police are a different thing and I am concerned that they will be closing down the police station in Abergavenny and moving to Cwmbran. That will affect us, not because there is a lot of crime around here but because you expect the police to be there and feel safer because of it. We are entitled to it; we pay our rates to have a local police service, but will we still have one if they are based in Cwmbran?

> They make these cuts, to the police say, something that I think we all agree is vitally important – you want to see the police there, to let you know that you are safe and to put wrongdoers off causing trouble. But they cut them, they close down the stations, only have enough to sit behind a desk and yet we still pay the same amount for them, the community charge doesn't get reduced to reflect us losing our police.

**Vulnerable residents**

While many respondents were at pains to emphasise that this was a low-crime area, they identified particular concerns for the elderly living in such an isolated community and how a decline in local policing might impact on them:

> We have a strong sense of community here but it's isolated. Up that road, there, you have three small houses, hundreds of yards apart and away from the rest of us down here. Well, if they get in trouble – say, someone realises they're old folk at home alone and targets them – who is going to know? And how can the police respondent quick enough if they're all the way over in Cwmbran? I worry for them I do.It's not the likes of us who have to worry, it's all the elderly folk – and there are a lot of them around here. They're the ones at risk and it must be a scary thing to see the police moving even further away, you're going to feel very isolated.

Some identified their own fears:

> I do worry about what happens now there aren't so many police around. I'm on my own. I have plenty of friends but it's not the same.

> I am very concerned about the police moving to Cwmbran. I'm sure they have their reasons but that doesn't help me when I feel unsafe in my own home at night, the home

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> I've lived in all my life. I wish they thought a little more about us when they made these big decisions.

### Rural crimes

While there was not much overall crime, respondents did pick out two areas of particular local concern, which tie in to some of the biggest rural policing issues mentioned earlier. The first was the perception of several that the gypsy community offered something of a problem, with several recounting hearsay about crimes committed by gypsies and some claiming personal experience as in the following:

> The main crime we get around here is from gyspies. I've had mechanical parts stolen in the last couple of months; my lad had his bike pinched.

> It's not politically correct and people don't like to hear it but the gypsies are a problem here. Everyone round here knows it and will tell you so whether you like it or not. The police aren't doing anything and, now they've left Abergavenny, they won't even notice and will probably keep on letting them get away with it.

Whatever the reality of the allegations against these gypsies, some local people were concerned that the closing of the local police station would make it harder to tackle the subject.

The other issue of local rural crime that was identified involved illegal raves, as in these quotes:

> Raves are the only real issue here. What do you do if they're all drinking and smoking drugs in the field and it's concerning people? Well, you call the police. It's already happened then and you just have to hope they can come out and stop it. But what if they've already caused damage, it's too late. But if there were more local police, then the kids might get put off doing it. There aren't though.

> The only problem we really get round here is with raves. Every now and then you'll get a load of drugged up kids throwing a party in someone's field. If the police won't help, well, you've just got to get involved yourself, get a few people together and scare them off.

The closing sentiment about the police was echoed in passing by several respondents with the message that if they were to give up on local provision, then local residents would have to look after each other through alternative means of dispute resolution (including a couple of respondents laughing about how this might end up in violence being perpetrated against perceived wrongdoers).

## CONCLUSIONS

As the practical impact of the various government cuts in the field of justice begins to take hold, this is the correct moment for more, in-depth study of rural access to justice in general. In recent years, studies have been conducted in the US and Australia, but England and Wales lag behind, with the leading research, such as the 'Access to Justice in Rural Britain' project, being up to two decades old and, as such, very nearly completely out of date, considering that the institutions of justice they looked at may soon become a rare sight in rural areas. This is not simply an opportune time for further research, but an essential moment at which to consider what impact these changes are having with regard to rural access to justice and how this affects communities. It may just be that such research could capture the

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end of an era and the start of a brave new world. Two decades ago, Koffman stated that although most crime takes place in large urban areas, there was much for socio-legal scholars to learn from looking at rural areas.[62] With the radical changes imminent in the provision of access to justice, the possible insight for researchers today is amplified several-fold: if we want to understand the full lived reality of law in society, especially under an age of austerity, we need more studies of rural justice.

An essential consideration to which further deliberation should be devoted in subsequent analyses of attitudes to justice in rural areas is that of demographic change. Monmouthshire is a relatively prosperous region of Wales, which is thriving due to in-migration.[63] As such, it can be regarded as part of the trend towards *rural gentrification* that has been identified in parts of the Welsh countryside over the past three decades.[64] This process sees affluent urban residents migrating into the countryside to displace less affluent rural groups, and has gone hand in hand with a shift from indigenous farming communities to more middle-class incomers who are happier in remote dwellings. The *new rurality* is said to involve a professional and managerial service class for whom travel and telecommuting are hard-wired into their existence, an affluent group that does not tend to depend on local, state-provided services and is less affected by welfare cuts or restrictions in service provision.[65] Understanding the influence of the changing nature of traditional agricultural communities on attachment to local legal services promises much insight to illuminate the residents of this community as rural populations more widely. There is also the need to consider more deprived rural communities for whom the issue of access to services may have a heightened sense of importance, especially given the increased reliance of such communities on inadequate public transport. Such considerations may feed into a more pronounced need for local legal services such as courts, in view of the problems of public transport in rural Wales. It is conceivable that a survey conducted in the more disadvantaged parts of rural West Wales, ranked as the poorest areas in Northern Europe,[66] might produce different results. Here, the closure of Cardigan Magistrates' Court means that there is one court in the whole of Ceredigion, to cover potential users across a distance of 100 miles in each direction. Timetabling of bus services would be crucial here as, with the criminal courts' expectation that defendants will appear at 9.30 am, the scheduling of rural buses might make it impossible for many who, for whatever reason, are not able to drive to appear before mid-morning. In addition to practical considerations, differences in perception as to the meaning and importance of community might be found between more traditional rural areas, not least the less economically prosperous, and more affluent gentrified areas, which could also have an impact on attitudes to the provision of local services such as justice. The changing conceptions of community would be usefully pursued in this regard.

Perhaps the most significant specific finding of this study has been the community's pragmatic acceptance of the decline in legal services, as distinct from the concern about less policing. Despite general concerns about the centralisation of services that would once have defined the local area and around which communities would gravitate, the

**62.** L Koffman 'Crime in rural Wales' in Dingwall and Moody, above n 10.**63.** National Assembly for Wales *Key Statistics for Monmouthshire* (Cardiff: National Assembly for Wales, 2008).
**64.** M Phillips 'Rural gentrification and the processes of class colonisation' (1993) 9(2) J Rural Stud 123.
**65.** M Shucksmith *Exclusive Countryside? Social Exclusion and Regeneration in Rural Areas* (York: Joseph Rowntree Foundation, 2000).
**66.** Eurostat *The Poorest Regions in the UK are the Poorest in Northern Europe* (Brussels: European Union, 2014).

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residents surveyed here were willing to accept some specific losses, amongst which were legal services. There was a figurative red line in operation concerning cuts to local services, separating those services that locals might accept giving up and those that were deemed too important to sacrifice. Lawyers and courts fell on one side of the line, while the police were on the other. The practical attitude of resignation that these rural dwellers displayed in the face of losing some of their legal services needs to be probed further, as it will offer a guide as to just how deeply and widely cuts to rural justice might feasibly be pushed by governments with a focus on cutting their justice budgets. Additional questions could be pursued on both lawyers and courts. For example, is the ambivalence to lawyers related to the, perhaps limited, areas of specific expertise that small solicitors can provide? Will, property and agricultural law were mentioned by respondents, but further study could probe their views on more complex matters such as serious crime or complex property transactions. As another example, it might be valuable to look at how views on courts varied between those who had not previously had contact with the courts and those who had appeared as defendants, victims or witnesses, or to support others. Is there more appreciation for local provision with personal experience?

The findings in this paper would also be well supplemented by future research looking at how the impact of a retreat in state justice services might be mitigated. This might include exploring further the value of existing innovations such as virtual legal advice through online portals or the feasibility of maintaining community transport for such usages in a dispersed area as in this research. The court closure programme could inspire work into looking at the effectiveness of pop-up courts in rural communities and probing the prospects of utilising spaces in non-court buildings, as suggested by the government. There may also be a place for studies that tackle the discontent over there being a less visible police presence on the street by considering the merits of mobile police stations, addressing acceptability of a time-shared *bobby on the beat*. If rural populations are willing to accept cuts to legal services, it may be that innovations are needed to ensure that some form of access to justice is to be maintained even if it looks different to that which has conventionally been experienced. Researchers should work with communities to gauge how they feel about such options and what, if any, alternative would best service justice in their eyes.

The types of questions posed to rural residents in this paper are of value to developing a greater understanding of how justice works in practice and, as such, further exploration in future socio-legal scholarship would probably prove fruitful in order to improve our knowledge about law in (rural) society. Such probing could act to encourage the as yet underdeveloped field of study that Economides et al seek to promote, considering place in legal scholarship as 'geojurisprudence', 'geo-legal studies' or the 'geography of law'.[67] In particular, building on the survey offered in this paper could contribute to their desire that research should seek to illuminate the relationship that exists between legal institutions and legal norms; for example, moving beyond considering how such residents feel about the provision of local services and on to addressing whether, and in what ways, these perspectives may shape (or reshape) their views on justice. As alluded to in the previous section, some residents suggested that, without local police provision, they may be forced to take measures into their own hands. As such, one potentially interesting topic for further study might involve looking into how attitudes to law, justice and morality alter in time and space, with distance from a centralising state and between communities with varying degrees of local identity – and, further, how this might change with the cuts.

**67.** K Economides, M Blacksell and C Watkins 'The spatial analysis of legal systems: towards a geography of law?' (1986) 13(2) J L Soc'y 161.

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