



Legal Aid  
Agency

Cambridge Office  
Eastbrook, Shaftesbury Road  
Cambridge, CB2 8DR

To: All Chelmsford/Harlow and Colchester/Clacton Duty Scheme Members

Re: Chelmsford/Harlow and Colchester/Clacton Schemes

## **Consultation on merger of the Chelmsford/Harlow and Colchester/Clacton Duty Solicitor Schemes.**

### **Introduction and background**

This consultation is in response to Essex HMCTS confirmation that court business will be listed in recognition of Local Justice Areas (South Essex and North Essex).

There are currently two Duty Solicitor Schemes in North Essex, as follows:–

- **Chelmsford/Harlow** – 2 Police Stations (Chelmsford and Harlow) and 1 Magistrates' Court (Chelmsford). However, currently a temporary merged scheme with Colchester/Clacton/Harwich scheme for Police Station work due to the temporary closure of Chelmsford Police Station.
- **Colchester/Clacton/Harwich** – 2 Police Stations (Colchester and Clacton) and 1 Magistrates' Court (Colchester). However, currently a temporary merged scheme as described above.

In October 2019 we consulted on temporary changes to the Police Station Duty rotas following the decision of Essex Police to temporarily close Chelmsford Custody Suite from Saturday 10<sup>th</sup> August until December 2020. The consultation was in respect of possible changes to the membership of the Duty Solicitor schemes affected by the closure of Chelmsford Custody Suite. After careful consideration of the responses, the decision was to temporarily combine the Harlow/Chelmsford scheme with the neighbouring Scheme to the east to form a single combined Police Station Duty Rota covering the CJS areas of Chelmsford/Harlow and Colchester/Clacton. Chelmsford Police Station remains closed and the temporary arrangements continue.

Since the pandemic, HMCTS list cases based on Local Justice Areas (LJA's) for which there are 2, South Essex and North Essex. This has resulted in the allocation of a Duty Solicitor from each scheme to cover a single court where HMCTS only require one Duty Solicitor.

Moving to a single North Essex Duty Solicitor rota would best fit the current listing practice. Consolidation of the two schemes would be a sensible option which would give a fair allocation of work to providers across North Essex. It would save costs, assist with rota production and bring the schemes into line with the remand court which, in 2017, moved to a single remand court for North Essex Monday to Friday with a centralised, county-wide remand court on Saturday at Chelmsford Magistrates' Court.

Please note: there are no further amendments proposed to Contract arrangements and specifically remuneration for Police Station and Court Duty work will remain unchanged.

The timetable for this consultation exercise is as follows:

Stage	Duration	Date
Consultation Period	3 weeks	06/08/21 to 27/08/21
Consideration of responses	1 week	By 03/09/21
Publication of consultation response	1 week	By 10/09/21
Commencement of new rota		01/10/21

### Proposed Options

Please find below proposed changes to the North Essex schemes:

#### Option A

COMBINE THE CHELMSFORD/HARLOW SCHEME WITH THE COLCHESTER/CLACTON SCHEME

This proposal would combine both schemes and would result in a single combined Duty Rota covering the CJS areas of Chelmsford/Harlow and Colchester/Clacton.

Scheme Members would have access to North Essex Police Station and Court Duty work and would be required to service all the police stations and courts in the combined CJS area.

THE OFFICE POSTCODE TOOL WOULD BE AMENDED TO COMBINE THE OFFICE POSTCODES THAT PROVIDE ELIGIBILITY FOR THE CHLSMFORD/HARLOW AND COLCHESTER/CLACTON SCHEMES INTO A SINGLE SCHEME CALLED THE CHELMSFORD AND COLCHESTER SCHEME.

#### Option B

COMBINE THE CHELMSFORD/HARLOW COURT DUTY SCHEME WITH THE COLCHESTER/CLACTON COURT DUTY SCHEME

This proposal would combine the Chelmsford scheme with the neighbouring Colchester Scheme and would result in a single combined Court Duty Rota covering the CJS areas of Chelmsford/Harlow and Colchester/Clacton.

Scheme Members would have access to North Essex Court Duty work and would be required to service all the courts in the combined CJS area.  
THE EXISTING POLICE STATION ROTAS WOULD REMAIN UNCHANGED AND WOULD NOT COMBINE.

**Option C**

NO CHANGE TO EXISTING ARRANGEMENTS AND DUTY SCHEME ELIGIBILITY REMAINS AS CURRENTLY SET WITH SEPARATE SCHEMES FOR CHELMSFORD/HARLOW AND COLCHESTER/CLACTON.

It may be the case that you consider different approaches appropriate for this scheme and if this is the case please make it clear in your response. Please explain in your response which Option(s) and scheme(s) you are referring to or indicate your reasons for preferring any other alternative suggestion.

Following the outcome of this consultation revised rotas will be issued, if required, effective from 1<sup>st</sup> October 2021. **Please note that any changes that may be required as a result of this consultation may lead to a delay in publication of the rota in early September. We will do all that we can to minimise any delay and publish as soon as possible.**

You are invited to submit any comments regarding the proposals in writing, marked **Chelmsford and Colchester Consultation** in the subject box by email to: [andrew.taylor@justice.gov.uk](mailto:andrew.taylor@justice.gov.uk) by **5pm on 27/08/21**.