



Cambridge Office  
Eastbrook, Shaftesbury Road  
Cambridge, CB2 8DR

To: All Basildon/Grays and Southend/Rayleigh Duty Scheme Members

Re: Basildon/Grays and Southend/Rayleigh Schemes

## **Response to consultation on merger of the Basildon/Grays and Southend/Rayleigh Schemes.**

On 6<sup>th</sup> August 2021, the Legal Aid Agency issued a consultation in response to Essex HMCTS confirmation that court business will be listed in recognition of Local Justice Areas (South Essex and North Essex). This is not a court or police station closure but given the significant impact of the court listing arrangements, it is deemed appropriate to consult scheme members on the options available.

The consultation was regarding the possible merger of the Basildon/Grays and Southend/Rayleigh Schemes.

The deadline for responses to the consultation was the 27<sup>th</sup> August 2021 and the timetable for the consultation exercise indicated that following consideration of responses, all affected parties would be notified of the outcome of the consultation by 10<sup>th</sup> September 2021. This letter is therefore intended as formal notification of the outcome of the consultation.

Thank you to everyone who has taken the time to respond to the consultation.

### **Summary of Responses**

A total of 6 responses to the consultation were received from 6 different providers.

All respondents are current members of either the Basildon/Grays scheme or Southend/Rayleigh scheme. Therefore, all respondents would potentially be directly impacted by any changes arising from this consultation.

### **Option A - combine the Basildon/Rayleigh scheme with the Southend/Rayleigh scheme**

Respondents from 4 providers favoured option A which would combine both schemes and would result in a single combined Duty Rota covering the CJS areas of Southend/Rayleigh and Basildon/Grays.

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

One respondent stated that this option would save costs, assist with rota production and bring the scheme into line with court listing practice.

The respondent went on to suggest that due to the volume of Remand Court Duty work two South Essex Duty Solicitors would be required Monday to Friday at the South Essex Central Remand Court sitting at Southend Magistrates' Court and on Saturday at the South Essex Central Remand Court sitting at Chelmsford Magistrates' Court.

### **Option B – combine the Basildon/Grays Court Duty Scheme with the Southend/Grays Court Duty Scheme**

One respondent was in favour of option B which would combine the Basildon scheme with the neighbouring Southend Scheme and would result in a single combined Court Duty Rota covering the CJS areas of Basildon/Grays and Southend/Rayleigh.

Scheme Members would have access to South 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.

One respondent commented that those firms who usually service the Basildon/Grays area would also be required to attend at police stations/courts in Southend which would require additional staff/resources and would mean increased travel if option A was chosen.

### **Option C – no change to existing arrangements and duty scheme eligibility remains as currently set with separate schemes for Basildon/Grays and Southend/Rayleigh**

One provider was in favour of option C which would be to leave the arrangements as they are with separate schemes for Basildon/Grays and Southend/Rayleigh.

### **Decision**

After careful consideration of the responses, the decision is to merge the Basildon/Grays scheme with the Southend/Rayleigh scheme to the east (**option A**) to form a single combined Police Station and Court Duty Rota covering the CJS areas of **Basildon/Grays and Southend/Rayleigh**.

This was the option that was favoured by most of the respondent providers. This option provides the best fit with current listing practice. It will give a fair allocation of work to providers across South Essex, save costs and assist with rota production, bringing the scheme into line with the remand courts which, in 2017, moved to a single remand court for South Essex Monday to Friday with a centralised, county-wide remand court on Saturdays at Chelmsford Magistrates' Court.

We will also implement the suggestion that two South Essex Duty Solicitors are allocated Monday to Friday at the South Essex Central Remand Court sitting at Southend Magistrates' Court and on Saturday at the South Essex Central Remand Court sitting at Chelmsford Magistrates' Court. This is supported by HMCTS who have advised that work volumes for overnight remands are such that this would be required to ensure prompt throughput of work.

Please note that this approach will not apply to GAP/NGAP/Breach/Miscellaneous Court work which will be listed at both Chelmsford and Colchester Magistrates' Court.

No decision can meet the expressed desires of all those who provided feedback to the consultation, whilst also meeting the needs of clients and the LAA. It is considered the decision we have made provides the greatest fairness to all scheme members that are affected by this change.

From Friday 1<sup>st</sup> October 2021, membership of the Basildon/Grays Duty Solicitor scheme will be combined with the Southend/Rayleigh scheme and will be called the Basildon and Southend scheme. Please ensure that you work from the updated rotas when they arrive.