



Legal Aid
Agency

- **TO: ALL MEMBERS OF THE SKEGNESS, LINCOLN, GRANTHAM, BOSTON AND NORTH & NORTH EAST LINCOLNSHIRE SCHEMES BOTH EXISTING MEMBERS UNDER THE 2017 STANDARD CRIME CONTRACT AND POTENTIAL FUTURE MEMBERS UNDER THE 2022 STANDARD CRIME CONTRACT**

Introduction and Background

This consultation is in response to the issues currently facing scheme members and Lincolnshire Police in relation to the Skegness Duty Solicitor Scheme. Reduced membership is affecting the operation of this Scheme with potential adverse impacts on the CJS and clients in that area.

The Skegness scheme is not busy during the winter months but sees an increase in work during the summer months and the police are concerned about both Duty Solicitor coverage and attendance at Skegness Police station.

We wish to keep changes to schemes to a minimum, whilst taking into account the likely impact on levels of service to clients from solicitors whose offices might not be local to the police station dealing with their matter.

Currently Lincolnshire is made up of the following schemes;

- Skegness
- Lincoln
- Grantham
- Boston
- North & North East Lincolnshire (a merger of the historic Grimsby & Cleethorpes scheme with Scunthorpe)

Travel times between these schemes can vary between 40 minutes and up to 85 minutes, subject to traffic conditions. As a rural county with a poor road infrastructure and agricultural and holiday traffic at certain times of the year, travel times can be longer in practice. We therefore accept that having a county wide scheme would therefore represent problems for those having to routinely travel across the county. Approximate travel times (based on the shortest route) are set out in the following table;

	Boston	Lincoln	Grantham	North & North East Lincolnshire (based out of Grimsby)
Travel time to Skegness by car	40 minutes	1 hour	1 hour 25 minutes	1 hour
Mileage to Skegness	22 miles	37 miles	52 miles	39 miles
Google maps calculation	Boston to Skegness - Google Maps	Lincoln to Skegness - Google Maps	Grantham to Skegness - Google Maps	Grimsby to Skegness - Google Maps

The above travel times and mileage are from the centre of Duty Schemes to Skegness. It may be that travel to Skegness for individual Providers and Duty Solicitors within a Duty Scheme is longer. For example, the North & North East Lincolnshire Scheme includes Scunthorpe and Scunthorpe to Skegness is approximately 1 hour 30 minutes and 60 miles ([Scunthorpe to Skegness - Google Maps](#)). Travel from Scunthorpe to Grimsby, within the same scheme is 35 minutes and 28 miles ([Scunthorpe to Grimsby - Google Maps](#)).

The following table provides information on the Scheme membership for the county;

Location of Police Station and Court Rotas in Lincs schemes & Duty Solicitor numbers	Skegness	Boston	Lincoln	Grantham	North & North East Lincolnshire
Police Station Rota Location	Skegness	Boston	Lincoln	Grantham	Grimsby
Court Rota Location	Boston & Lincoln	Boston & Lincoln	Lincoln	Lincoln	Grimsby
Current Duty Solicitor numbers	4	11	16	7	20

This Consultation:

This consultation paper comprises two sections:

Section 1 outlines the Scheme change(s) and Duty Solicitor Scheme(s) affected.

Section 2 outlines the options identified to change the Duty Solicitor Schemes affected within your local region.

We are consulting on these proposals for **3 weeks**, from **26 May 2022**.

Responses should be sent by email to Elaine Annable (elaine.annable@justice.gov.uk) and Mike Pillin (mike.pillin@justice.gov.uk) **by 5pm on 17th June 2022**.

Our intention is to respond to the consultation by end of June 2022.

Section 1 – Duty Solicitor Schemes affected.

Subject to the proposed options (below), the following schemes are affected by this consultation;

- Skegness
- Lincoln
- Grantham
- Boston
- North & North East Lincolnshire

Please note any change made to the above Duty Solicitor Schemes as a result of this consultation will apply to both the current 2017 Standard Crime Contract and the 2022 Standard Crime Contract that starts on 1 October 2022. This consultation therefore concerns both existing members of these Schemes under the 2017 Standard Crime Contract and potential future members of these Schemes under the 2022 Standard Crime Contract.

Please note all postcode sectors are mapped into at least one Duty Scheme. The changes proposed here will not affect this.

Determining Eligibility for revised Schemes

To assist providers in determining which Scheme(s) they are eligible to join, the postcode sectors providing access to work within each scheme, which can be found here: <https://www.gov.uk/guidance/duty-solicitors-rotas-information-and-guidance> will be updated in accordance with this consultation.

Section 2 – Proposed revisions to schemes in the Lincolnshire area

Proposed Changes

We set out explanations, where appropriate, of how each of the approaches will affect the different scheme(s).

Where schemes only require minor adjustments, we set these out and invite any comments or feedback you may have on these changes.

It may be the case that you consider different approaches appropriate for different schemes. Please make it clear in your response which Option(s) and scheme(s) you are referring to, and indicate your reasons for preferring these alternatives.

Consultation Options

Our proposals are as follows:

Option 1:

We merge the two most local schemes, namely Skegness and Boston, thus increasing the number of Duty Solicitors available to both schemes. The court work for both Police Station Schemes is heard in Boston and Lincoln Magistrates' courts.

However, travel times between these two locations is approximately 40 minutes and a merger may not be considered practical by all providers in these areas.

Option 2:

We combine the membership of all Lincolnshire schemes and Skegness, with Skegness operating as a rota during the summer months and a panel during the winter months (possibly end of September to the end of March) when it is less busy and travelling may be easier. All other Lincolnshire Schemes will operate as now, and the eligibility for those would remain unchanged. Only the membership of the Skegness scheme would be widened.

Panel Schemes offer Providers more flexibility as they are not mandated to attend, unlike when operating on a Rota. Individuals must still use their best endeavours to accept a reasonable number of panel calls (paragraph 9.49 of the 2017 Standard Crime Contract Specification).

Skegness would operate as a Rota during the summer months, when attendances are more regular.

The Court Duty Solicitor scheme would remain as it is now.

This option still requires long travel times and distances and there is a risk that some clients will not receive the appropriate level of legal assistance during the winter months or face delays receiving such advice, due to the necessity to travel long distances.

Option 3:

As above, we combine the membership of Skegness with all other Lincolnshire Schemes, with Skegness operating as a panel during the night-time when it is less busy and traveling for Providers will be easier. All other Lincolnshire Schemes will operate as now, and the eligibility for those would remain unchanged

As above, Panels operate more flexibly for Scheme members.

Court work would be as it now.

Travel distances remain a problem.

Option 4:

We combine Skegness with some of the other Lincolnshire Schemes but not all.

The geography of Lincolnshire remains a problem, regularly traveling across the county could force Providers to travel unreasonable times and distances.

We could, therefore, consider combining parts of the county into areas but not county wide. This could mirror the way that the courts operate in this county. For example, Skegness and Boston court cases sit at Boston magistrates' court on some days, in Lincoln magistrates' court on others. Grantham and Lincoln court cases are also heard in Lincoln magistrates' court. Having a system in place that adds Skegness to those Schemes but not North & North East Lincolnshire and/or Grantham might be a useful alternative.

Court work would be kept as it is now. Membership of the non-Skegness Lincolnshire Schemes would operate as now.

Option 5

This would be a hybrid of the above options and would include elements of the above options (i.e. have panel membership at certain parts of the day/year) to ease concerns over travel time. For example, we could consider merging Boston and Skegness but with a panel, alternatively we could have large geographical areas (as set out in option 4) but with Panel arrangements at certain times.

Court work would be kept as it is now. Membership of the non-Skegness Lincolnshire Schemes would operate as now.

Our Preference:

We do not have any preferences with the above options and recognise that all the above proposals have drawbacks and that members will have differing views on the proposals depending upon how each of proposals may affect them, both under the existing 2017 Contract and future contracts. We would therefore welcome responses and any alternative suggestions on how best to ensure cover for the Skegness Scheme.

Our principal aim is to ensure that clients can access timely legal assistance, that the Police are able to operate effectively and that the market remains sustainable.

Respondents are invited to comment on these proposals and, if not in support of the proposals, to offer alternative suggestions.

If you have any queries or wish to discuss the above consultation please contact your Contract Manager, however written responses are required and should be sent by email to: elaine.annable@justice.gov.uk and mike.pillin@justice.gov.uk **by 5pm on Friday 17th June 2022.**