

24 October 2016

To all Duty Solicitors on Grimsby and Scunthorpe
Magistrates' Court Duty Schemes

Dear Duty Solicitor

Consultation response on duty solicitor arrangements following closure of Scunthorpe Magistrates' Court

Background

Further to my letter dated 8th August 2016 this is the Legal Aid Agency's response to the consultation regarding the closure of Scunthorpe Magistrates' Court on 13th January 2017.

This closure will impact on the Grimsby Magistrates' Court Duty Solicitor Scheme, as after 3rd January 2017 cases will be dealt with at Grimsby Magistrates' Court. It is worth noting that there is no intention that Scunthorpe work will be listed separately at Grimsby; cases will be listed and heard in accordance with anticipated plea and not where the offences were committed.

The options set out in the consultation were:

Option 1 – Amend the scheme boundaries for the Grimsby Magistrates' Court Duty scheme allowing Duty Solicitors who are currently members of the Scunthorpe Magistrates' Court Duty scheme to become members of the Grimsby Magistrates' Court Duty scheme from 3rd January 2017.

Option 2 – Make no change to the scheme boundaries in place at present, ie Court Duty at Scunthorpe will cease to exist after 2nd January 2017 and providers currently eligible for membership of the Grimsby Magistrates' Court Duty Scheme will continue to access duty slots on the Grimsby Court Duty rota along with any extra slots as a result of the change from 3rd January.

Summary of responses received

6 responses were received, all of which expressed a preference for Option 1.

Consultation Outcome

As detailed above, the consultation responses received expressed a preference for Option 1. We will therefore take the necessary steps to implement this option.

Impact on affected Duty Solicitor Schemes

The Duty Scheme members currently eligible for the Scunthorpe Magistrates' Court Duty Scheme will be automatically eligible to undertake court duty work at Grimsby Magistrates' Court from 3rd January 2017. Providers are reminded that this duty solicitor scheme is a rota scheme (ie not call in or panel) and providers should ask to be released by the court at the earliest appropriate opportunity to avoid increased cost to the public purse (2010 Standard Crime Contract Specification paragraph 10.12 refers).

Duty solicitor work at Grimsby Magistrates' Court is remunerated at the rates set out in the 2013 Criminal Remuneration Regulations and travel time/expenses may only be claimed where the Duty Solicitor is called out or called to return on a day that is not a normal business day.

All providers are reminded of the need to comply in full with the duty requirements set out in 2010 Standard Crime Contract Sections 6 and 10.

For the avoidance of doubt police station duty rotas will not be impacted by these changes.

Rota Publication

The rota operational from 1st October 2016 will be reissued to reflect the closure of Scunthorpe Magistrates' Court from 3rd January 2017.

Further enquiries

Should you have any queries or need to discuss this consultation response further you should contact your local Contract Manager at the Leeds Regional Office.