

**TO: ALL MEMBERS OF THE BURY AND MANCHESTER MAGISTRATES'  
COURT DUTY AND POLICE STATION SCHEMES**

## **Introduction and Background**

### **Duty Solicitor Schemes**

This consultation is in response to HMCTS's announcement of Magistrates' Court closures currently served by a Duty Solicitor Scheme.

Details of the courts closing may be found in the National Response on the Proposal of the Provision of Court and Tribunal Estate in England and Wales, published on 11<sup>th</sup> February, 2016. The document is located here:

<https://www.gov.uk/government/consultations/proposal-on-the-provision-of-court-and-tribunal-estate-in-england-and-wales>

We have tried 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 will no longer be local to the court dealing with their matter.

## **This Consultation**

This consultation paper comprises two sections:

Section 1 outlines the court closure and Duty Solicitor Schemes 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 6 weeks, from Monday, 16<sup>th</sup> January, 2017 to 27<sup>th</sup> February, 2017.

Responses should be sent by email to [dominic.geelan@legalaid.gsi.gov.uk](mailto:dominic.geelan@legalaid.gsi.gov.uk)

**Section 1 – Court Closures and Duty Solicitor Schemes affected.**

In the North West Region, the following Magistrates' Court will be closed:

- Bury Magistrates' Court

In addition the following changes will apply:

- All cases will be dealt with at Manchester Magistrates' Court

As a result of this closure, we need to revise the following scheme:

- Bury

**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 North West Region**

### **Proposed Changes**

Where significant revisions are required, we set out 2 Options reflecting two different general approaches, with explanations where appropriate, of how each of those approaches will affect the different schemes.

At the end we indicate the option we favour.

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.

## **Greater Manchester CJS Area**

Bury Magistrates' Court in this CJS area will close on 24<sup>th</sup> March, 2017.

Our proposals are as follows:

### **Option 1:**

We merge the Bury Scheme with the Manchester Scheme, and the new Scheme Boundary becomes that of both areas. Members of the current Schemes become a member of the newly created Scheme and will be included on the appropriate Police Station and Court rotas within this Scheme. The Bury Police Station Scheme comprises both the Bury and the Rochdale and Middleton Police Station Schemes.

### **Option 2:**

We merge only the Bury and Manchester Magistrates' Court Schemes and retain separate Police Station Rotas for the Bury and Manchester Schemes.

Option 2 is preferred by the Legal Aid Agency as, despite the closure of Bury Magistrates' Court, Bury Police Station remains open.

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

The LAA will review whether the increase in defendants at Manchester Magistrates' Court will require additional Court Duty Solicitors on any specific days.