



Legal Aid  
Agency

## Consultation on the future of the Hammersmith Magistrates Court Duty Schemes

### **Introduction and Background**

#### **Duty Solicitor Schemes**

This consultation is in response to HMCTS's consultation on the future of Hammersmith Magistrates Court, which is currently served by a Duty Solicitor Scheme ('scheme').

Details of the consultation can be found here -

<https://www.gov.uk/government/consultations/the-future-of-camberwell-green-and-hammersmith-magistrates-courts>

We have tried to keep changes to schemes to a minimum whilst considering 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 3 weeks, from 21st July 2017 to 11<sup>th</sup> August 2017.

Responses should be sent by email to [darren.chamberlain@justice.gov.uk](mailto:darren.chamberlain@justice.gov.uk)

**Section 1 – Court closures and Duty Solicitor Schemes affected (*NB - Police Station Schemes remain unaffected*)**

In the London Region, the following Magistrates' Court will be closed in August/September 2017:

- Hammersmith

In addition, the following changes will apply:

- Hammersmith Youth Court cases will be dealt with at Highbury Corner Magistrates Court
- All other cases will be transferred to Westminster Magistrates Court.

As a result, we need to consider to revise the following schemes:

- Hammersmith (West London), Inner London Youth, City of Westminster & Highbury Corner courts schemes

## **Section 2 – Proposed revisions to schemes in the London Region**

### **Proposed Changes**

Where significant revisions are required, we set out the transfer of work with explanations where appropriate of how each of those approaches will affect the different schemes.

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.**

### **The proposals are as follows:**

Hammersmith Magistrates Court in this CJS area is currently scheduled to close August/September 2017.

#### A) Inner London Youth Court

The Inner London Youth Court closed on Friday, 9<sup>th</sup> June 2017 and all work was transferred to the Highbury Corner Youth Court. Moving forward one slot will be required to cover this work.

The two options proposed are as follows:

1. Providers listed on the Inner London Youth Court rota travel to the Highbury Corner Youth Court. The designated day will be on Mondays on a weekly basis.

As the youth court scheme would remain an attendance scheme, travel would only be payable if an attendance were required on a non-business day, in accordance with the Criminal Legal Aid (Remuneration) Regulations.

Should you not wish to travel then you will need to notify the Duty Solicitor Team ([dutysolqueries@legalaid.gsi.gov.uk](mailto:dutysolqueries@legalaid.gsi.gov.uk)) as a matter of urgency and they will replace you accordingly. However, this does not mean that you will lose membership of the Adult work scheme.

2. In line with previous London court consultations, Providers will lose membership to this scheme as they are no longer eligible.

The LAA is aware that Option 2 would have a significant impact on Providers in South West London, particularly those in Richmond who would be left with membership of Lavender Hill and the Wimbledon Youth court only. The LAA

has offered, therefore, as part of Option 1 that those affected can decide whether they would want to remain a member of this scheme but to retain membership of the adult Hammersmith which will be heard in the City of Westminster court. This is the LAA's preferred option. However, we accept that it is not ideal, and would therefore welcome alternative suggestions.

## B) Hammersmith Magistrates' Court

Current Hammersmith adult work will be transferred over to City of Westminster court. All bail cases have already transferred to this court.

The two options proposed are as follows:

1) Like Option 1 above, current Hammersmith court members would retain their membership of this scheme which will sit at City of Westminster Court. The court has confirmed that they will require a slot per day to cover this work, along with the bail court slot that has already transferred over previously.

2) Current Providers lose membership to this scheme as they are no longer eligible.

The LAA's preference is Option 1.

All remainder Court work will remain at Hammersmith Magistrates Court until August/September 2017 with an effective transfer date to be confirmed. The work will be transferred to Westminster Magistrates Court.

The current same provision of existing Duty Solicitors on the Hammersmith Adult Scheme will transfer to Westminster.

You are invited to submit any comments regarding this consultation in writing, marked "Hammersmith Magistrates Court Consultation" for the attention of Darren Chamberlain via email (Darren.Chamberlain@justice.gov.uk) by Friday 11<sup>th</sup> August 2017 (in line with Clause 6.60 of the 2017 Standard Crime Contract Specification).

This Consultation document will be published at:

<https://www.gov.uk/government/publications/duty-solicitor-scheme-boundary-consultations>

Following this, the consultation outcome will be published on gov.uk via the link above.