

**TO: ALL FIRMS WITH DUTY SOLICITORS ON THE STOCKPORT,  
TRAFFORD AND MANCHESTER POLICE STATION DUTY SOLICITOR  
SCHEMES**

## **Consultation on the Trafford Police Station Duty Solicitor Scheme**

### **Introduction and Background**

This consultation is in response concerns expressed as to the efficacy of the present working arrangements of the Trafford Police Station Duty Solicitor rota by a number of firms with duty solicitors on the Trafford Police Station rota.

In summer, 2016, Greater Manchester Police took the decision to close Pendleton Police Station, which was the nominated Police Station for Trafford Police Station Duty Solicitor work. The closure of Pendleton Police Station was announced at short notice and Greater Manchester Police elected to divide Trafford Police Station Duty Solicitor work between Longsight and Cheadle Heath Police Stations.

An expedited consultation was held with those firms with Duty Solicitors on the relevant rotas. The options presented were:

- (i) To merge the Trafford Police Station Duty Solicitor Scheme with the Manchester Police Station Duty Solicitor Scheme and not retain the Trafford rota as a separate scheme;
- (ii) To merge the Trafford Police Station Duty Solicitor Scheme with the Stockport Police Station Duty Solicitor Scheme and not retain the Trafford rota as a separate scheme;
- (iii) To retain the Trafford Police Station Duty Solicitor rota as a separate Scheme, with Trafford arrests being processed through Cheadle Heath and Longsight Police Stations, with Custody Sergeants at those Police Stations alerting the DSCC when Trafford arrests were the processed at either of those Police Stations, in order that a Police Station Duty Solicitor on the Trafford Police Station rota could be contacted to attend upon the arrested suspect.

The majority of respondents favoured option 3 and that option was adopted by the Legal Aid Agency in summer, 2016.

In recent months, a number of firms on the Trafford Police Station Duty Solicitor rota have indicated that the current arrangements are not effective and callouts for Trafford custody cases have reduced substantially since the arrangements synthesised in option 3 were put into place.

The Legal Aid Agency has decided, therefore, to consult again with firms with Duty Solicitors on the affected Police Station Duty Solicitor Schemes (i.e. Manchester, Trafford and Stockport) to establish if there is any significant appetite amongst those firms to amend the existing arrangements.

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 as local to the Police Station dealing with their matter.

The Stockport and Trafford/ Manchester Magistrates' Court Duty Solicitor schemes will remain as they are and will not be affected by any of the proposals in this consultation.

## **This Consultation**

This consultation paper comprises two sections:

Section 1 outlines the current arrangements for the Trafford Police Station Duty Solicitor Scheme and Duty Solicitor Schemes affected by this consultation.

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

We are consulting on these proposals for 4 weeks, from 5<sup>th</sup> September, 2017 to 3<sup>rd</sup> October, 2017.

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

## **Section 1**

### **Current Trafford Police Station Duty Solicitor arrangements.**

Trafford Police Station Duty Solicitor work is currently processed either at Cheadle Heath Police Station or at Longsight Police Station. Custody Sergeants at either of those Police Stations should, when dealing with Trafford work, notify the DSCC accordingly, to enable the deployment of a Duty Solicitor from the Trafford Police Station Duty Solicitor rota to the relevant Police Station.

As a result concerns expressed by firms with Duty Solicitors on the Trafford Police Station rota, the Legal Aid Agency is consulting with firms on whether amendment of the current arrangements is necessary. That consultation contains proposals which relate to the following Police Station Duty Schemes:

**Trafford**

**Stockport**

**Manchester**

**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 Greater Manchester Region**

### **Consultation Options**

#### **The following options are presented:**

##### **Option 1:**

We merge the Trafford Police Station Duty Solicitor Scheme and Manchester Police Station Duty Solicitor Scheme, and the new Scheme boundary becomes that of both areas. Firms who applied for slots on the July 2017 rota and who have an office and Contract Schedule in the postcode sectors qualifying for the Trafford or Manchester Police Station Duty Schemes will be included on the merged Trafford/ Manchester scheme and included on the rota.

**NB:** Since the Trafford and Manchester Magistrates' Court Duty Solicitor Schemes have already been merged- with the Trafford Magistrates' Court Duty Scheme no longer in existence as a separate entity- firms with Duty Solicitors on the Trafford Police Station rota, which currently have offices in the postcode sectors qualifying for **BOTH** the Trafford **AND** Manchester Police Station Duty Solicitor Schemes will not need to retain a separate office in Trafford to qualify for work on the Trafford and Manchester Court and Police Station Duty Solicitor Scheme if this option is adopted: a single office, **provided it is within the postcode sector qualifying for work on these Schemes**, will enable access to the merged Trafford/ Manchester Schemes.

##### **Option 2:**

We merge the Trafford Police Station Duty Solicitor Scheme and the Stockport Police Station Duty Solicitor Scheme, and the new Scheme boundary becomes that of both areas. Firms who applied for slots on the July 2017 rota and who have an office and Contract Schedule in the postcode sectors qualifying for the Trafford or Stockport Schemes will be included on the merged Trafford and Stockport Scheme and included on the rota.

NB: If this option is adopted, firms **will continue to require separate offices** in the sectors qualifying for Stockport and Trafford work, since the Magistrates' Court Schemes remain entirely separate and are unaffected by this consultation.

##### **Option 3:**

The existing arrangements will continue i.e. Trafford Police Station Duty Solicitor work will continue to be processed either at Cheadle Heath Police Station or at Longsight Police Station and Custody Sergeants at either of those Police Stations will, when dealing with Trafford work, notify the DSCC accordingly, to enable the deployment of a Duty Solicitor from the Trafford Police Station Duty Solicitor rota to the relevant Police Station.

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There is no intention to increase the numbers of Duty Solicitors on rota to attend any of the affected Police Stations if either option (i) or (ii) is adopted.

The LAA has arrived at these proposals having considered the need of firms allocated slots on the Trafford rota to retain access to duty work, balanced against the existing access to duty work of those firms with slots on the Stockport and Manchester rotas.

If amendment is required, **Option 1** is preferred by the Legal Aid Agency, as Manchester Courthouse has, since the closure of Trafford Magistrates' Court in summer, 2016, dealt with criminal proceedings arising from Trafford arrests.

**However, if the number of responses received to this consultation reveals no decisive preference amongst those with Duty Solicitors on the affected Schemes in favour of change, the existing arrangements will continue and there will be no change to any of the affected Schemes.**

Respondents should indicate which of the options 1 to 3 they prefer.

