

To all members of the Liverpool/Knowsley, St Helens, Sefton & Wirral Duty Court Duty Solicitor Schemes

Introduction and Background

Duty Solicitor Schemes

This consultation is in response to HMCTS's announcement in relation to the centralisation of Youth cases across Merseyside.

Details of the consultation documents are attached.

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 changes 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 2 weeks, from 6th November 2017 to 20th November 2017.

Responses should be sent by email to liam.courtenaywilliams@legalaid.gsi.gov.uk

Section 1 – Court changes and Duty Solicitor Schemes affected.

In the Merseyside CJS area, the following Youth work will be centralised in Liverpool QEII court house:

- Liverpool/Knowsley Youth cases
- Sefton Youth cases
- St Helens Youth cases
- Wirral Youth cases

As a result of these changes we need to revise the following schemes:

- Liverpool/Knowsley Court Duty Scheme
- Sefton Court Duty Scheme
- St Helens Court Duty Scheme
- Wirral Court Duty Scheme

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 the Liverpool/Knowsley, Sefton and Wirral Duty Schemes

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.

Proposed changes

As the proposed changes do not result in significant revisions we are not setting out two options and are instead inviting your comments & feedback.

As a result of the centralisation of youth work across Merseyside, HMCTS are to list all youth matters in Liverpool Magistrates Court with effect from 15th January 2018, listing matters from Liverpool & Knowsley, Sefton and Wirral scheme areas (St Helens Youth cases are already heard in Liverpool Magistrates Court).

To support this listing pattern, we propose that the Liverpool & Knowsley, St Helens, Sefton and Wirral rotas are amended so that duty slots for the Merseyside Youth court are shared across all providers that qualify for the 4 schemes. This approach allows for a duty solicitor to attend all youth matters listed and for court efficiencies to be realised.

Youth Court work (CJSSS/Remand combined) will be listed in Liverpool Magistrates Court on Tuesdays & Wednesdays (with Youth Trials listed on a Thursday).

It is proposed that the Liverpool/Knowsley Court Duty Rota will contain a Youth Court Column with Duty Solicitors drawn from Liverpool/Knowsley, St Helens, Sefton & Wirral Scheme areas.

All work undertaken in the court is claimable under the rates set out in the Criminal Legal Aid (Remuneration) Regulations.

There will be no change to the police station schemes in the area, meaning police station duty lists will remain as currently defined.

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