



# Legal Aid Agency

**Birmingham Regional Office**

**Cannon House, 18, The Priory Queensway**

**Birmingham, B4 6BS**

To: Scheme Members of the Shrewsbury, Telford, Redditch, Kidderminster,  
Worcester and Hereford Scheme Areas

Dear Sir / Madam,

**Re: Consultation on changes to Court Duty Rotas following HMCTS decision to list all overnight remand matters at Kidderminster Magistrates Court.**

HMCTS issued a consultation paper on the arrangements for the listing of criminal custodial remand cases in magistrates' courts in Staffordshire and West Mercia on 28<sup>th</sup> June 2017. As a result of the consultation, HMCTS has announced that in the West Mercia Justice Area, all overnight remand cases will, from April 2018, be heard at Kidderminster Magistrates Court. This decision was set out in the response to the consultation published by HMCTS in December 2017 (see link below).

Copies are available from [Anita.Smith@Justice.gov.uk](mailto:Anita.Smith@Justice.gov.uk).

This letter constitutes formal notice, under paragraph 6.6 of the 2017 Standard Crime Contract Specification - Duty Solicitor Provisions, which states we may consult on a proposal to change the postcode boundaries in respect of a scheme following the closure of a magistrates' court.

This is not a court closure, but given the significant impact of the listing changes, it is deemed appropriate to consult scheme members on the rota options available.

Please note: there are no further amendments to Contract arrangements – remuneration for Court Duty work will remain unchanged – travel and disbursements can only be claimed on a non-business day or when the solicitor is called back to court.

This letter will deal specifically with proposed changes to the schemes affected by overnight remand cases being listed at Kidderminster Magistrates Court.

Scheme members from the Redditch, Kidderminster, Worcester schemes (Worcester Court Duty Rota), the Telford and Shrewsbury scheme (Shropshire Court Duty Rota) and Hereford scheme are invited to respond.

Existing scheme arrangements will continue for the duration of the scheme rotas up to 31<sup>st</sup> March 2018. Thereafter, following the outcome of this consultation, any new arrangements will be applied. Revised rotas for this period will be issued in advance.

You are invited to submit any comments regarding the proposals in writing, marked “**HMCTS West Mercia listing changes**” in the subject box by email to:

emma.archer@justice.gov.uk by **5pm on Friday 16<sup>th</sup> February 2018**.

The timetable for this consultation exercise is as follows:

<b>Stage</b>	<b>Duration</b>	<b>Start/end date</b>
Consultation Period	3 weeks	<b>5<sup>th</sup> February 2018 to 16<sup>th</sup> February</b>
Consideration of responses	1 week	<b>19<sup>th</sup> February to 23<sup>rd</sup> February 2018.</b>
Notification of any changes	1 week	<b>26<sup>th</sup> February to 2<sup>nd</sup> March.</b>
Issue of new rotas		<b>12<sup>th</sup> March 2018</b>
Date changes would take effect		<b>1<sup>st</sup> April 2018</b>

**Please note that given the short timescale to rota publication the Consultation Period is reduced to 2 weeks.**

### **Proposed Options**

Please find below proposed changes to Redditch, Kidderminster, Worcester schemes (Worcester Court Duty Rota), the Telford and Shrewsbury scheme (Shropshire Court Duty Rota) and Hereford scheme following the decision by HMCTS to list all overnight remand matters from across the county at Kidderminster Magistrates Court.

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.

As significant revisions are required, we set out 3 Options reflecting three different general approaches, with explanations, of how each of those approaches will affect the different schemes.

### **LISTING OF ALL OVERNIGHT REMAND MATTERS AT KIDDERMINSTER MAGISTRATES COURT (HMCTS)**

Below are the options being proposed:

#### **Option A**

COMBINE THE MEMBERSHIP OF THE REDDITCH, KIDDERMINSTER, WORCESTER SCHEMES (WORCESTER COURT DUTY ROTA), THE TELFORD AND SHREWSBURY SCHEME (SHROPSHIRE COURT DUTY ROTA) AND HEREFORD SCHEME TO PRODUCE A CJS AREA WIDE COURT DUTY ROTA. FOR **ALL DUTY CASES**.

Redditch, Kidderminster, Worcester Schemes (Worcester Court Duty Rota), Telford And Shrewsbury Scheme (Shropshire Court Duty Rota) and Hereford Schemes combine for the purpose of producing a CJS area wide rota covering the West Mercia CJS Area.

Scheme Members would have access to, and would be required to service all Courts, Worcester, Hereford, Kidderminster, Telford and Redditch on a rota basis.

The Duty requirements would be as follows:

Redditch

1 Duty Solicitors would be required on Monday (or 2? GAP and NGAP)

Kidderminster

2 Duty Solicitors would be required on Monday for overnight remand cases

4 Duty Solicitors would be required on Tuesday 2 for overnight remand cases and 2 Duty Solicitors would be required on Tuesday (nominally GAP and NGAP).

2 Duty Solicitors would be required on Wednesday for overnight remand cases

2 Duty Solicitors would be required on Thursday for overnight remand cases

2 Duty Solicitors would be required on Friday for overnight remand cases

2 Duty Solicitors would be required on Saturday for overnight remand cases

Worcester

1 Duty Solicitor required every other Wednesday (youths)

2 Duty Solicitors required every Thursday (nominally GAP and NGAP)

Hereford

1 Duty Solicitor every other Tuesday (Youths)

2 Duty Solicitors would be required on Wednesday (nominally GAP and NGAP)

Telford

2 Duty Solicitors would be required on Tuesday (nominally GAP and NGAP)

1 Duty Solicitors would be required on Wednesday (nominally GAP and NGAP) and a further Duty Solicitor would be required every other Wednesday (Youths)

THE EXISTING POLICE STATION ROTAS WOULD REMAIN UNCHANGED AND WOULD NOT COMBINE.

**Option B**

COMBINE THE MEMBERSHIP OF THE REDDITCH, KIDDERMINSTER, WORCESTER SCHEMES (WORCESTER COURT DUTY ROTA), THE TELFORD AND SHREWSBURY SCHEME (SHROPSHIRE COURT DUTY ROTA) AND HEREFORD SCHEME FOR THE PURPOSE OF PRODUCING A CJS AREA WIDE ROTA FOR **OVERNIGHT REMAND WORK ONLY**. ALL OTHER WORK TO REMAIN WITHIN THEIR EXISTING SCHEME ARRANGEMENTS.

The proposal is that all of the existing Redditch, Kidderminster, Worcester Schemes (Worcester Court Duty Rota), Telford And Shrewsbury Scheme (Shropshire Court Duty Rota) and Hereford Schemes combine for the purpose of producing a CJS area wide rota for overnight remand work only.

Scheme Members would have access to their existing rotas for work that remains at the relevant courts, but would also be required to service Kidderminster Magistrates Court on a rota basis to cover overnight remand cases. The requirement would be as follows:

2 Duty Solicitors would be required on Monday

2 Duty Solicitors would be required on Tuesday

2 Duty Solicitors would be required on Wednesday

2 Duty Solicitors would be required on Thursday

2 Duty Solicitors would be required on Friday

2 Duty Solicitors would be required on Saturday

Other Court Duty requirements would be as follows:

### **Worcester Court Duty Rota**

#### Redditch

1 Duty Solicitors would be required on Monday (or 2? GAP and NGAP)

#### Kidderminster

2 Duty Solicitors would be required on Tuesday (nominally GAP and NGAP)

#### Worcester

1 Duty Solicitor required every other Wednesday (youths)

2 Duty Solicitors required every Thursday (nominally GAP and NGAP)

### **Hereford Court Duty Rota**

#### Hereford

1 Duty Solicitor every other Tuesday (Youths)

2 Duty Solicitors would be required on Wednesday (nominally GAP and NGAP)

### **Shropshire Court Duty Rota**

#### Telford

2 Duty Solicitors would be required on Tuesday (nominally GAP and NGAP)

1 Duty Solicitors would be required on Wednesday (nominally GAP and NGAP) and a further Duty Solicitor would be required every other Wednesday (Youths)

THE POLICE STATION ROTAS WOULD REMAIN UNCHANGED AND WOULD NOT COMBINE.

## **Option C**

THE THREE EXISTING SCHEMES - REDDITCH, KIDDERMINSTER, WORCESTER SCHEMES (WORCESTER COURT DUTY ROTA), THE TELFORD AND SHREWSBURY SCHEME (SHROPSHIRE COURT DUTY ROTA) AND HEREFORD SCHEME **REMAIN UNCHANGED** AND DUTY WORK REQUIRED AT EACH COURT IS ROTA'D TO THE RELEVANT SCHEME.

The proposal is that Redditch, Kidderminster, Worcester Schemes (Worcester Court Duty Rota), the Telford and Shrewsbury Scheme (Shropshire Court Duty Rota) Scheme and Hereford scheme Members Would have access to, and would be required to service their existing Court EITHER Redditch/Kidderminster/Worcester OR Telford Magistrates Court OR Hereford Magistrates Court only and work would be rota'd to those schemes.

The requirement for Worcester Court Duty Rota (Redditch/Kidderminster/Worcester schemes) would be:

### **Worcester Court Duty Rota**

#### Redditch

1 Duty Solicitors would be required on Monday (or 2? GAP and NGAP)

#### Kidderminster

2 Duty Solicitors would be required on Monday for overnight remand cases

4 Duty Solicitors would be required on Tuesday 2 for overnight remand cases and 2 Duty Solicitors would be required on Tuesday (nominally GAP and NGAP).

2 Duty Solicitors would be required on Wednesday for overnight remand cases

2 Duty Solicitors would be required on Thursday for overnight remand cases

2 Duty Solicitors would be required on Friday for overnight remand cases

2 Duty Solicitors would be required on Saturday for overnight remand cases

#### Worcester

1 Duty Solicitor required every other Wednesday (youths)

2 Duty Solicitors required every Thursday (nominally GAP and NGAP)

The requirement for the Hereford Court Duty Rota would be as follows:

### **Hereford Court Duty Rota**

#### Hereford

1 Duty Solicitor every other Tuesday (Youths)

2 Duty Solicitors would be required on Wednesday (nominally GAP and NGAP)

The requirement for the Shropshire Court Duty rota would be as follows:

### **Shropshire Court Duty Rota**

Telford

2 Duty Solicitors would be required on Tuesday (nominally GAP and NGAP)

1 Duty Solicitors would be required on Wednesday (nominally GAP and NGAP) and a further Duty Solicitor would be required every other Wednesday (Youths)

THE POLICE STATION ROTAS WOULD REMAIN UNCHANGED AND WOULD NOT COMBINE.

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.