



# Legal Aid Agency

**Birmingham Regional Office**

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

**Birmingham, B4 6BS**

**To:** All Scheme Members of the Burton on Trent, Cannock and Rugeley, Tamworth and Stafford and Stoke on Trent and Newcastle under Lyme Scheme Areas

Dear Sir / Madam,

**Re: Consultation on changes to Court Duty Rotas following HMCTS decision to list all overnight remand matters at North Staffordshire Justice Centre**

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 Staffordshire Criminal Justice Area, all overnight remand cases will, from April 2018, be heard at North Staffordshire Justice Centre. This decision was set out in the response to the consultation published by HMCTS in December 2017.

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 North Staffordshire Justice Centre.

Scheme members from the Burton on Trent, Cannock and Rugeley, Tamworth and Stafford (Staffordshire South Court Rota) and Stoke on Trent and Newcastle under Lyme (Stoke on Trent Court Rota) are invited to respond.

Existing scheme arrangements will continue for the duration of the current duty 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 Staffordshire 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	2 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>Latest 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 Burton on Trent, Cannock and Rugeley, Tamworth and Stafford (Staffordshire South Court Rota) and Stoke on Trent and Newcastle under Lyme (Stoke on Trent Court Rota) following the decision by HMCTS to list all overnight remand matters from across the county at North Staffordshire Justice Centre.

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 STAFFORDSHIRE OVERNIGHT REMAND MATTERS AT NORTH STAFFORDSHIRE JUSTICE CENTRE (HMCTS)**

Below are the options being proposed:

#### **Option A**

COMBINE THE MEMBERSHIP OF THE BURTON ON TRENT, CANNOCK AND RUGELEY, TAMWORTH AND STAFFORD SCHEMES (STAFFORDSHIRE SOUTH COURT DUTY ROTA) AND THE STOKE ON TRENT AND NEWCASTLE UNDER LYME (STOKE ON TRENT COURT ROTA) TO PRODUCE A COUNTY WIDE COURT DUTY ROTA FOR **ALL DUTY CASES**.

The proposal is that all of the existing Burton On Trent, Cannock and Rugeley, Tamworth

and Stafford scheme members and the Stoke On Trent and Newcastle Under Lyme members join a single combined Court Duty Rota covering the county of Staffordshire.

Scheme Members would have access to, and would be required to service both the Cannock Magistrates Court and North Staffordshire Justice Centre on a rota basis. The rota would be as follows:

2 Duty Solicitors would be required on Monday at North Staffordshire Justice Centre. Nominally, 1 for overnight remand cases and 1 for other matters.

2 Duty Solicitors would be required on Tuesday at North Staffordshire Justice Centre. Nominally, 1 for overnight remand cases and 1 for other matters.

4 Duty Solicitors would be required on Wednesday; 2 at North Staffordshire Justice Centre. Nominally, 1 for overnight remand cases and 1 for other matters and 2 at Cannock Magistrates Court for GAP and NGAP matters.

5 Duty Solicitors would be required on Thursday; 3 at North Staffordshire Justice Centre. Nominally one for overnight remand cases and 2 for other matters (GAP and NGAP) and 2 at Cannock Magistrates Court. Nominally 1 for Youths and 1 for DV GAP and NGAP.

4 Duty Solicitors would be required for Friday. 2 at North Staffordshire Justice Centre. Nominally, 1 for overnight remand cases and 1 for other matters. 2 at Cannock Magistrates Court for GAP and NGAP matters.

2 Duty Solicitor would be required for Saturday and Bank Holiday courts at North Staffordshire Justice Centre.

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

### **Option B**

COMBINE THE MEMBERSHIP OF THE BURTON ON TRENT, CANNOCK AND RUGELEY, TAMWORTH AND STAFFORD SCHEMES (STAFFORDSHIRE SOUTH COURT DUTY ROTA) AND THE STOKE ON TRENT AND NEWCASTLE UNDER LYME (STOKE ON TRENT COURT ROTA) FOR THE PURPOSE OF PRODUCING A CJS AREA WIDE ROTA FOR **OVERNIGHT REMAND WORK ONLY**. ALL OTHER WORK TO REMAIN WITHIN THEIR EXISTING SCHEME.

The proposal is that all of the existing Burton On Trent, Cannock and Rugeley, Tamworth and Stafford Schemes (Staffordshire South Court Duty Rota) and the Stoke On Trent And Newcastle Under Lyme (Stoke On Trent Court Rota) schemes combine for the purpose of producing a CJS area wide rota for overnight remand work only, all other work remains within their existing scheme.

Scheme Members would have access to their existing rotas for work that remains at those courts, but would also be required to service North Staffordshire Justice Centre on a rota basis to cover overnight remand cases.

A separate rota would be established from the combined membership to cover overnight remand cases only at North Staffordshire Justice Centre, the requirement being:

1 Duty Solicitor would be required every day Monday to Friday.

2 Duty Solicitors would be required every Saturday and Bank Holiday.

Additional Duty requirements for the other courts would be as follows:

Cannock Magistrates Court

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

2 Duty Solicitors would be required on Thursday (nominally Youth and DV GAP/NGAP)

2 Duty Solicitors would be required Friday (nominally GAP and NGAP).

North Staffordshire Justice Centre

1 Duty Solicitor would be required on Monday (Youths and PP)

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

1 Duty Solicitors would be required on Wednesday (DV)

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

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

**Option C**

THE TWO EXISTING SCHEMES - BURTON ON TRENT, CANNOCK AND RUGELEY, TAMWORTH AND STAFFORD SCHEMES (STAFFORDSHIRE SOUTH COURT DUTY ROTA) AND THE STOKE ON TRENT AND NEWCASTLE UNDER LYME (STOKE ON TRENT COURT ROTA) **REMAIN UNCHANGED** AND DUTY WORK AT EACH COURT IS ROTA'D TO THE RELEVANT SCHEME.

The proposal is that the existing Burton On Trent, Cannock and Rugeley, Tamworth and Stafford scheme members (Staffordshire South Court Duty Rota) and the Stoke On Trent and Newcastle Under Lyme members remain on their current rotas.

Scheme Members would have access to, and would be required to service their existing Court EITHER Cannock Magistrates Court OR North Staffordshire Justice Centre only and work would be rota'd to those schemes.

The requirement for Cannock Magistrates Court would be:

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

2 Duty Solicitors would be required on Thursday (nominally Youth and DV GAP/NGAP)

2 Duty Solicitors would be required Friday (nominally GAP and NGAP).

The requirement for North Staffordshire Justice Centre would be:

2 Duty Solicitors would be required on Monday (nominally one for overnight remand cases and one for youth/other cases).

3 Duty Solicitors would be required for Tuesday (nominally one for overnight custody cases and two for other GAP/NGAP cases).

2 Duty Solicitors would be required for Wednesday (nominally one for overnight custody cases and one for DV/other cases).

3 Duty Solicitors would be required for Tuesday (nominally one for overnight custody cases and two for other GAP/NGAP cases).

2 Duty Solicitors would be required on Friday (nominally one for overnight custody cases and one for other cases).

2 Duty Solicitors would be required each Saturday and Bank Holiday.

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.