

10th October 2018

<p>To all Duty Solicitors on the Kirklees Duty Scheme and all members of the consolidated Leeds Magistrates' Court Duty Scheme</p>

Dear Duty Solicitor

Kirklees & Leeds Duty Solicitor Schemes

This consultation is in response to HMCTS' Response to Consultation on Overnight Detained Custody cases between the Kirklees & Leeds court sites, currently served by a Duty Solicitor Scheme.

Details of the consultation response can be obtained by contacting HMCTS.

This Consultation

This consultation paper comprises two sections:

Section 1 outlines HMCTS's amended procedures and the Duty Solicitor Schemes affected.

Section 2 outlines the options identified to change the Duty Solicitor Schemes affected.

We are consulting on these proposals for 6 weeks, from Tuesday 16th October 00:01 to Monday 26th November 2018 23:59.

Responses should be sent by email to dutysolqueries@justice.gov.uk with the heading marked *Kirklees/Leeds Consultation Response*.

Section 1 –Duty Solicitor Schemes affected.

Kirklees Magistrates' Court:

Kirklees overnight detained defendants will be listed at Leeds Magistrates Court. Any Sendings to the Crown Court for trial or sentence will as a result remain to be sent to the Leeds Crown Court.

Leeds Magistrates' Court:

From the commencement of the next court sitting matrix (1st October 2018) defendants detained by the police for a court hearing [new charge or warrant] will be listed before Leeds Magistrates Court. It is worth noting that there is no intention that Kirklees work will be listed separately at Leeds; cases will be listed and heard in accordance with anticipated plea and not where the offences were committed.

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 can be found here: <https://www.gov.uk/guidance/duty-solicitors-rotas-information-and-guidance>, and will be updated if necessary in accordance with this consultation.

Section 2 - Proposed Changes

Leeds Magistrates' Court

In respect of the relocation of work our proposal is as follows:

Option 1 – Amend the scheme boundaries for the Leeds Magistrates' Court Duty scheme, allowing Duty Solicitors who are currently members of the Kirklees Magistrates' Court Duty scheme to become members of the Leeds Magistrates' Court Duty scheme from 1st January 2019. This will give access to all duty work at Leeds Magistrates' Court in addition to work at Kirklees Magistrates' Court.

Option 2 – Make no change to the scheme boundaries in place at present, i.e. remand work will be incorporated into the current Leeds Magistrates' Court Duty Scheme rota.

We would encourage all members of both Duty Schemes to carefully consider the options above and decide which they would choose, clearly explaining their rationale within their response.

There is no intention to increase the numbers of Duty Solicitors on rota to attend Leeds Magistrates' Court on any given day, but this may be reviewed for subsequent rota periods.

In addition, if you have any other suggested options that you feel we should consider, we should be grateful for your views.

Please note, subject to the outcome of this consultation, it is our intention to re-issue the affected rotas with effect from January 1st 2019. Please see paragraph 6.60 of the 2017 Standard Crime Contract Specification for context.

Please ensure your final response is sent to dutysolqueries@justice.gov.uk by Monday 26th November 23:59. Please label your email *Kirklees/Leeds Consultation Response*. Please ensure you confirm which court duty scheme you currently access and your preference from the proposed options for this scheme only in your response.

We will aim to confirm the outcome of the consultation within week commencing Monday 10th December 2018.

Kind regards,

Philip Hanson
Contract Manager
Legal Aid Agency