

Date: 12 February 2019

To: All Firms with Duty  
Solicitors on the Sutton,  
Bromley or Croydon Police  
Station Schemes

Dear Sir / Madam

**Response to Consultation with Sutton, Bromley and Croydon Police Station Scheme members following Metropolitan Police Service decision to make Sutton Police Station a contingency only suite.**

On 8 January 2019, the Legal Aid Agency issued a consultation regarding possible changes to the Duty Solicitor scheme(s) affected by the Police's decision to make Sutton Police Station a contingency only suite.

The deadline for responses to the consultation was 29 January 2019 and the timetable for the consultation exercise indicated that, following consideration of any responses, all affected parties would be notified of the outcome of the consultation no later than 13 February 2019. Therefore, this letter is intended as formal notification of the outcome of the consultation.

**A. Summary of Responses**

A total of 9 responses were received to the consultation on proposed changes to the Duty Solicitor Scheme(s) as a result of making Sutton Police Station a contingency only suite.

Thank you to everyone who has taken the time to provide feedback on the proposal.

There is no decision that can meet the needs of all those that have fed back on the scheme changes and a decision has been made which provides the greatest fairness to all scheme members that are affected by this change and also to detainees arrested in the Sutton area.

The options consulted on were:

Option 1      Maintain the Sutton Police Station Scheme rota.

- Option 2      Merge the Sutton Police Station Scheme with the Bromley and Croydon Police Station Schemes.
- Option 3      Close the Sutton Police Station Scheme.

## **B. Summary of Feedback**

The 9 responses received came from 6 firms, with 3 of the firms submitting responses from more than one individual.

8 of the 9 respondents had members on the current Sutton scheme. The ninth respondent had members on the Bromley and/or Croydon scheme.

Therefore, all respondents are directly impacted by any changes arising from this consultation.

7 of the 9 respondents were in favour of Option 1.

2 of the 9 respondents supported Option 2.

No respondents supported Option 3.

Some alternative options were put forward by respondents:-

- a) One suggested giving Sutton Scheme members additional slots on the Croydon and Bromley Scheme rotas to compensate for the anticipated loss of slots from Sutton.
- b) One advocated consulting on widescale changes to the scheme boundaries to reflect the Police's moves to larger Borough Command Unit areas.
- c) Allowing members of Outer London schemes to apply for membership of non-London schemes was also put forward.

## **C. Decision**

After careful consideration of the responses received, and the points raised within the same, the Legal Aid Agency have decided to proceed with **Option 1, namely retaining the Sutton Scheme.**

This option will ensure that members of the Sutton Scheme will continue to be awarded their Sutton rota slots.

The suggestions under points a to c under Part B above were ruled out because they would involve wholesale changes to scheme eligibility and would inevitably require a far wider consultation. This was something which we simply did not have time for given the limited notice received.

We selected Option 1 because:-

- 1) It ensures that detainees arrested in Sutton can continue to see local firms where possible.
- 2) It impacts less on members of the Sutton Scheme and indeed the Bromley and Croydon Schemes.
- 3) It prevents over-subscription of the Bromley and Croydon Scheme, something which several respondents alluded to.

- 4) There is likely to be less chance of Sutton Scheme members struggling to meet the 14 hours requirement.

Although we have decided to implement Option 1, we recognise that the effectiveness of this option relies on accurate identification of which scheme a matter falls under. The LAA has worked closely with police custody leads to ensure that custody staff inform the Duty Solicitor Call Centre (DSCC) where the detainee was picked up from the area currently served by Sutton Police Station. The call will then be allocated to whoever is on the Sutton Scheme rota and they will cover the matter, attending at Bromley or Croydon Police Station as appropriate.

We will continue to monitor the effectiveness of this arrangement to ensure that calls are assigned correctly. We would also encourage Sutton Scheme members to continue to engage with custody officers who they see on a face-to-face basis frequently. This could be particularly effective because one respondent suggested that Sutton officers have transferred to Croydon and Bromley and will be involved in logging calls with the DSCC for detainees arrested in or around Sutton.

There is a misconception that the DSCC decides which scheme a case is allocated to, when in fact the DSCC is reliant on the Police confirming which scheme a call relates to when they log the matter. We have decided that the DSCC cannot be expected to cross-refer the exact location of where a detainee was arrested with the scheme boundaries in order to second-guess the Police's decision.

#### **D. Next steps**

- Option 1 proposed in the consultation document will take effect from 1 March 2019.
- New rotas will be issued to cover the period 1 April to 30 September 2019.
- There is no need for us to make any change to the postcode tool.

Yours faithfully,



Abbie Lane  
Area Contract Manager