



Legal Aid Agency

18th December 2018

**To all Duty Solicitors on the Kirklees Duty Scheme
and all members of the consolidated Leeds Magistrates' Court Duty Scheme**

Dear Duty Solicitor Members

Further to my letter dated 10th October 2018, this is the Legal Aid Agency's (LAA's) response to the consultation regarding HMCTS's decision to move overnight remand cases from Kirklees Magistrates Court to Leeds Magistrates Court.

The options set out in the Legal Aid Agency's (LAA) consultation were:

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.

Summary of responses received

Option 1

5 responses were received (2 from the same provider), all of which confirmed a preference for Option 1.

Option 2

1 response was received confirming a preference for Option 2.

One further response was received, which did not set out a preference but raised a concern in relation to the original HMCTS consultation changing the sitting arrangements in Leeds and Kirklees. This has not been taken into account for the purposes of this LAA consultation but has been provided to colleagues in HMCTS responsible for the original consultation.

Consultation Outcome

As the majority of responses were in favour of option 1, we will implement this option.

Impact on affected Duty Solicitor Schemes

Kirklees

The Duty Scheme members currently eligible for the Kirklees Magistrates Court Duty Scheme will be automatically eligible to undertake court duty work at Leeds Magistrates Court from 1st January 2018. Kirklees Duty Scheme members will be added to the Leeds Duty Scheme rota.

Leeds

The Duty Scheme members currently eligible for the Leeds Magistrates' Court Duty Scheme will continue to be eligible to undertake court duty work at Leeds Magistrates' Court from 1st January 2018.

Duty solicitor work at Leeds Magistrates' Court is remunerated at the rates set out in the 2013 Criminal Remuneration Regulations and travel time/expenses may only be claimed where the Duty Solicitor is called out or called to return on a day that is not a normal business day.

All providers are reminded of the need to comply in full with the duty requirements set out in the 2017 Standard Crime Contract; and in particular the need to ask to be released by the Court when appropriate.

For the avoidance of doubt police station duty rotas will not be impacted by these changes.

Rota Publication

The Kirklees and Leeds rotas operational from 1st January 2018 will be reissued to reflect the movement of overnight remand cases from Kirklees Magistrates Court to Leeds Magistrates Court.

Further Enquiries

Should you have any queries or need to discuss this consultation response further you should contact your local Contract Manager.

Kind regards

Philip Hanson
Contract Manager