



Legal Aid  
Agency

**TO: ALL MEMBERS OF THE HAMMERSMITH ADULT COURT DUTY SCHEME AND WESTMINSTER COURT DUTY SCHEME OPERATING OUT OF CITY OF WESTMINSTER MAGISTRATES COURT.**

## **Introduction and Background**

This consultation is in response to court's request to reduce the number of Adult Court Duty slots operating from City of Westminster Magistrates Court.

Westminster Magistrates Court is currently served by both the Hammersmith Adult Duty Scheme Members and the City of Westminster Court Duty Scheme Members. The Extradition rota that also sits at City of Westminster Court are completely unaffected by this consultation. We have tried to keep changes to a minimum.

## **This Consultation**

This consultation paper comprises of two sections:

Section 1 outlines the future duty solicitor requirements.

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

We are consulting on these proposals for **3** weeks, from **Wednesday 4<sup>th</sup> September 2019**.

Responses should be sent by email to: [brian.fitzgerald@justice.gov.uk](mailto:brian.fitzgerald@justice.gov.uk) by **5pm on Tuesday 24<sup>th</sup> September 2019**.

Our intention is to respond to the consultation by **Thursday 26<sup>th</sup> September 2019**. We appreciate that this does not provide you with much notice, this is unavoidable due to us only recently being made aware of this request from the court, and needing to allow sufficient time to amend the future rotas.

## **Section 1 – Amendment to the Hammersmith Adult Court and City of Westminster Court Rotas operating from City of Westminster’s Magistrates Court.**

A request has been submitted by the court to reduce the overall number of Hammersmith Court duty solicitors serving Hammersmith Court from Westminster Magistrates Court. This will affect:

- Hammersmith Adult Court scheme
- Westminster Court Scheme

Currently two court rotas operate from City of Westminster’s Magistrates Court. These are City of Westminster’s Magistrates Court and Hammersmith Adult Court scheme. The latter was an outcome of the closure of Hammersmith Magistrates Court in 2017. This has resulted in three duty solicitors attending each day.

The current position has been identified as exceeding the court requirements and as such the court is to reduce this to:

- one duty solicitor on all other days

As a result of this, we need to revise the current arrangements in place at this location.

**All postcode sectors are mapped into at least one Duty Scheme. The changes proposed here will not affect this.**

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

## **Section 2 – Proposed revisions to schemes**

### **Proposed Changes**

We set out explanations, where appropriate, of how each of the approaches will affect the different schemes.

At the end we indicate the option we favour.

Where schemes only require minor adjustments, or are for notification purposes, we set these out and invite any comments or feedback you may have on these changes.

It may be the case that you consider different approaches appropriate for different schemes. Please make it clear in your response which change(s) and scheme(s) you are referring to, and indicate your reasons for preferring these alternatives.

## **Hammersmith Adult Court scheme operating out of City of Westminster Magistrates Court**

The reduction in the number of Adult court duty slots from 1<sup>st</sup> October 2019.

Our proposals are as follows:

### **Option 1:**

#### **Merge Hammersmith Adult Court and City of Westminster Court schemes.**

This would mean that one scheme would then operate from this location and slots are proportionally allocated based on the current number of solicitors on each of the current schemes

### **Option 2:**

#### **Cessation of Hammersmith Adult Court scheme.**

Current Hammersmith Adult court providers lose membership to the Hammersmith scheme as they are no longer eligible at the City of Westminster Court.

**Our Preference:**

The preferred option is option 1. The reasons for this is:

- This would result in the equal division of available slots between the two schemes.

Respondents are invited to comment on these proposals and, if not in support of the proposals, to offer alternative suggestions.