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27th September 2019

To: All Firms with Duty Solicitors on the Romford and Barkingside Schemes
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Dear Sir / Madam

Response to Consultation with Romford Court and Barkingside Court scheme members, operating out of Barkingside Magistrates Court, following a reduction in the number of Duty Solicitors HMCTS requires at this Court

On Wednesday 4th September, the Legal Aid Agency issued a consultation regarding possible changes to the Romford Magistrates Court and Barkingside Magistrates Court Solicitor schemes affected by this change.

The deadline for responses to the consultation was 18th September and the timetable for the consultation exercise indicated that, following consideration of any responses we would respond in due course.

Therefore, this letter is intended as formal notification of the outcome of the consultation.

Summary of Responses

A total of 9 responses to the consultation on proposed changes to the Romford and Barkingside Magistrates Court Solicitor schemes, were received. The 9 responses received came from 8 firms and 1 individual.

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.

All 9 respondents had members on the current schemes, therefore, all respondents are directly impacted by any changes arising from this consultation.

- 6 of the 9 respondents were in favour of option 1, that is to merge the Romford and Barkingside Magistrates Court Duty Schemes.

Of these 6 respondents, 3 made no notable additional comment, however the following was recorded as part of the remaining response:

- One firm commented that the rota membership should be limited to solicitor firms located within the boundaries of the 1st appearance court area, and that the slots should be allocated to the firms equally rather than by duty solicitors to ensure each area has an adequate provision in respect of firms.
- One firm were concerned about the impact on Waltham Forest firms following the closure of Waltham Forest Magistrates Court in 2016, and firms in this area only now being able to join one adult court scheme, namely Barkingside, instead of two. They felt a more rational and equitable approach would be to restore access to the adult court duty work originating from the Waltham Forest police station scheme i.e. to Thames Magistrates Court. They also raised concerns about the proposed reduction of slots on a Saturday due to the unpredictability of custody only levels of work and more reliance on duty solicitors on this day.
- Another firm commented that this option would also prevent the situation where if the Romford Duty Solicitor is not at Court, the Barkingside Duty Solicitor is unable to assist a client because they are from a different borough (and vice versa).
- 1 of the 9 respondents were in favour of option 2, that that is to continue to operate separate Romford and Barkingside Magistrates Court Duty schemes. This would mean splitting the available slots equally between the two schemes.
- 2 of the 9 respondents either did not indicate a preferred option or specifically stated neither option.

Of these 2, the following points were raised:

- 1 firm raised concerns around whether the reduction of work was needed; how this had been evidenced; the notice period; whether or not the PS or Court schemes would be merging; and the potential of watering down of the Romford slots from the higher number of Barkingside members.
- 1 firm suggested that a reduction of slots was needed for the Barkingside scheme, and no duty solicitors were required for the Romford scheme.
- Indeed, 2 of the firms responding specifically noted that that the Romford and Barkingside schemes both required a reduction in the number of duty slots/noted a reduction of work.

Decision

After careful consideration of the responses received – of which 6 of 9 respondents agreed with the preferred approach of merging the two schemes – and the points raised within the same, the decision is to merge the two schemes in line with the proposed reduction in duty attendance and proportionally allocate the slots based on

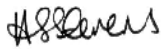
the current number of solicitors on each of the current schemes. The court have confirmed that amount of work at this court does not justify more Duty Solicitors.

The LAA will keep this under review and will consider amending the rotas if it proves necessary.

Next steps

- Option 1 proposed in the consultation document will take effect on 1st October 2019.
- • New rotas will be issued to cover the period 1st October 2019- 31st March 2020.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'H Stevens'.

Hannah Stevens

Area Contract Manager