



Cambridge Office
Eastbrook, Shaftesbury Road
Cambridge, CB2 8DR

To: All Essex Duty Scheme Members

Re: Chelmsford/Harlow Scheme

Response to consultation on temporary changes to the Police Station Duty rotas following the decision of Essex Police to close Chelmsford Custody Suite from Saturday 10th August until December 2020.

On 3rd October 2019, the Legal Aid Agency issued a consultation under paragraph 6.6 of the 2017 Standard Crime Contract Specification - Duty Solicitor Provisions, which states we may consult on a proposal to change the postcode boundaries in respect of a scheme following the closure of a police station/custody suite. Although this is not a confirmed permanent closure, a consultation was deemed appropriate given the significant impact on members of the current Harlow/Chelmsford Police Station rota.

The consultation was regarding possible changes to the membership of the Duty Solicitor schemes affected by the closure of Chelmsford Custody Suite.

The deadline for responses to the consultation was the 17th October 2019 and the timetable for the consultation exercise indicated that following consideration of responses, all affected parties would be notified of the outcome of the consultation by 31st October 2019. This letter is therefore intended as formal notification of the outcome of the consultation.

Thank you to everyone who has taken the time to respond to the consultation.

Summary of Responses

A total of 12 responses to the consultation were received from 8 different providers. Where more than one response was received from the same provider, all responses expressed a preference for the same option.

All 8 respondent providers had members on either the Harlow/Chelmsford scheme or on one of the other schemes that the consultation suggested might form part of a temporary

combined scheme. Therefore, all respondents would potentially be directly impacted by any changes arising from this consultation.

Option A - combine the Harlow/Chelmsford scheme with the neighbouring Scheme to the South

Respondents from 3 providers favoured option A which would result in a single combined Police Station Duty Rota covering the CJS areas of Chelmsford/Harlow and Basildon/Grays.

2 of those reiterated that Basildon is currently the preferred location for police arrests in Chelmsford and that amalgamation with the Basildon/Grays scheme is likely to be the fairest way of ensuring access to Chelmsford detainees.

Option B - combine the Harlow/Chelmsford scheme with the neighbouring Scheme to the East
Respondents from 4 providers were in favour of option B which would result in a single combined Police Station Duty Rota covering the CJS areas of Chelmsford/Harlow and Colchester/Clacton.

1 respondent stated that Chelmsford/Harlow cases are likely to go to north Essex courts which would mean increased travel to court hearings if option A was chosen.

Another respondent raised a similar point: "Firms that usually service HMCTS South Essex areas would then also be required to attend at courts in the North of Essex which would require additional staff/resources."

1 respondent accepted that most Chelmsford work is going to Basildon but some is also going to Colchester.

1 respondent highlighted the potential financial impact: "Option A would dramatically benefit financially those firms based in the north as opposed to the south. The loss of slots in the south will cause potentially grave financial difficulties to those firms who are based mainly in the South."

Alternative Suggestion

Respondents from 1 provider did not endorse either of the options as it was considered that neither of them resolve the issue of Chelmsford matters being deployed to police stations across the whole of the county. The responses suggested it is unnecessary to make any temporary changes and that police from all Essex police stations should be trained and reminded to notify the DSCC of Chelmsford cases.

Decision

After careful consideration of the responses, the decision is to temporarily combine the Harlow/Chelmsford scheme with the neighbouring Scheme to the east (**option B**) to form a single combined Police Station Duty Rota covering the CJS areas of **Chelmsford/Harlow and Colchester/Clacton**.

This was the option that was favoured by most of the respondent providers.

No decision can meet the expressed desires of all those who provided feedback to the consultation, whilst also meeting the needs of clients and the LAA. It is considered the decision we have made provides the greatest fairness to all scheme members that are affected by this change.

In reaching this decision, we considered the financial impact that both proposals might have. Option A (merger with Basildon/Grays scheme) would have resulted in an additional 41 Duty Solicitors being added to the rota, which currently has 30 Duty Solicitors. Option B (merger with the Colchester/Clacton scheme) results in 5 Duty Solicitors being added to the Colchester/Clacton scheme. On that basis, Option B is considered to have less of a financial impact on providers than Option A.

From Sunday 1st December 2019, membership of the Harlow/Chelmsford Police Station scheme will be combined with the Colchester/Clacton scheme. Please ensure that you work from the updated rotas when they arrive.

Chelmsford Custody Suite is due to reopen in December 2020 and we anticipate operating a 3-month rota from October 2020 and then issuing new rotas from January 2021 which revert to the pre-combined schemes.