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Date: 8th January 2020

To: All Firms with Duty
Solicitors on the Camberwell
Green, Croydon or Bromley
Court Duty Schemes

Dear Sir / Madam

Response to Consultation with Camberwell Green, Croydon and Bromley Magistrates' Court Duty Solicitor Scheme members following HMCTS's decision to close Camberwell Green Magistrates' Court.

On 6th December 2019, the Legal Aid Agency issued a consultation regarding possible changes to the Court Duty Solicitor scheme(s) affected by HMCTS's decision to close Camberwell Green Magistrates' Court and transfer work to Croydon Magistrates' Court.

The deadline for responses to the consultation was 5pm on 3rd January 2020 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 10th January 2020. Therefore, this letter is intended as formal notification of the outcome of the consultation.

A. Summary of Responses

A total of 5 responses were received to the consultation on proposed changes to the Duty Solicitor Scheme(s) as a result of closing Camberwell Green Magistrates' Court.

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 clients whose cases are dealt with at Croydon Magistrates' Court after the transfer of work there.

The options consulted on were:

- Option 1 Merge the Camberwell Green and Croydon Magistrates' Court Duty Schemes.
- Option 2 Merge the Camberwell Green and Croydon Magistrates' Court Duty Schemes but prevent access to that scheme from providers from City of London, City of Westminster or the Royal Borough of Kensington and Chelsea.
- Option 3 Close the Camberwell Green Court Duty Scheme.

B. Summary of Feedback

The 5 responses received came from just 2 firms, with 4 coming from the same firm and 1 coming from the other.

All of the respondents were members of the current Camberwell Green and/or Croydon scheme(s) and are therefore directly impacted by any changes arising from this consultation.

4 of the 5 respondents were in favour of Option 1. One respondent in favour of Option 1 was under the mistaken impression that existing Camberwell Green Scheme members would continue to deal with clients arrested at police stations previously served by Camberwell Green Magistrates' Court, when in fact Croydon Scheme members will also deal with these matters under this Option.

1 of the 5 respondents supported Option 2.

No respondents supported Option 3.

The only alternative option put forward by the respondents was for HMCTS to separate the cases according to whether they originated from a police station which previously served Camberwell Green Magistrates' Court or Croydon Magistrates' Court. However, as HMCTS has already made clear, effectively maintaining the 2 existing scheme rotas is not possible and consequently this is not a viable option.

C. Decision

After careful consideration of the responses received, and the points raised within the same, the Legal Aid Agency has decided to proceed with **Option 1, namely merging the Camberwell Green and Croydon Court Duty Schemes**. In making this decision, no additional 'weight' was given to the volume of responses from the same firm i.e. we did not decide on Option 1 on the basis that 4 out of 5 respondents were in favour of that.

This option will ensure that members of the Camberwell Green Scheme will continue to be awarded rota slots on the newly-merged scheme.

The alternative suggestion put forward under the last paragraph of Part B above was ruled out for the reason already indicated.

We selected Option 1 because:-

- 1) It ensures that clients can continue to instruct relatively local firms where possible.
- 2) It impacts less on members of both of the existing schemes.

- 3) We accepted the point that preventing providers from North of the river from joining the merged Scheme would not necessarily mean less travel time/cost for clients.
- 4) Option 2 would require significant additional time for the Duty Solicitor Team to produce the rotas, time which is already very limited given the imminent CRM12 submission deadline of 13th January.

As per Notification 1 in the Consultation, we expect members of the newly-merged Scheme to also cover any Southwark and Lambeth Youth Court matters currently heard at Bromley Youth Court as these are currently covered by Camberwell Green Scheme members. This work will not be allocated to Bromley Scheme members.

We will continue to monitor the effectiveness of the merged scheme including any concerns raised by clients about having to travel to providers North of the river and/or to a more distant court than previously.

D. Next steps

- Option 1 proposed in the consultation document will take effect from 27th January 2020 when rotas commence at Croydon Magistrates' Court. The last sittings at Camberwell Green Magistrates' Court will be 31st January 2020.
- New rotas will be issued to cover the period 27th January to 31st March 2020. The exception to this is Southwark and Lambeth Youth Court matters, the rota for which will run from 1st April 2020 because the current one already runs until 31st March 2020.
- There is no need for us to make any change to the postcode tool.

Yours faithfully,

Abbie Lane
Area Contract Manager