



Legal Aid  
Agency

**TO: ALL MEMBERS OF THE EAST YORKSHIRE (BEVERLEY & BRIDLINGTON AND HULL) COURT DUTY SCHEMES**

## **Introduction and Background**

This consultation is in response to HMCTS's decision to develop the East Yorkshire (Beverley) Magistrates' Court as a trial centre from 1 April 2020.

This Magistrates Court is currently served by the Beverley & Bridlington Court Duty Scheme Members. We have tried to keep changes to a minimum.

The development of East Yorkshire Magistrates' Court as a trial centre was consulted upon by HMCTS in September 2019.

The Legal Aid Agency has now been informed by HMCTS colleagues that the last day of court duty hearings at Beverley will be on or before 31 March 2020 and that court duty matters that would previously have been dealt with at Beverley Magistrates' Court will transfer to Hull Magistrates' Court. HMCTS will start listing cases at Hull Magistrates' Court from 1 April 2020.

To ensure that the trial centre has enough work listed HMCTS has therefore decided that road traffic and section 172, Road Traffic Act 1988, trials would also move to the trial centre.

The East Yorkshire Youth Court will remain at Beverley and it should be noted that Court Duty coverage will still be required at Beverley for this court only. The specific dates when the Youth Court will sit during the next rota period will be detailed on the relevant Duty Rota.

**This consultation does not affect the Police Station Duty Schemes in Beverley & Bridlington or Hull.**

## **This Consultation**

This consultation paper comprises two sections:

Section 1 outlines the **Magistrates Court** listing changes and Duty Solicitor Schemes affected.

Section 2 outlines the options identified to change the Duty Solicitor Schemes affected within your local region.

We are consulting on these proposals for **3 weeks from Monday 17<sup>th</sup> February 2020.**

Responses should be sent by email to: [David.Featherstone@justice.gov.uk](mailto:David.Featherstone@justice.gov.uk) by **5pm on Friday 6<sup>th</sup> March 2020.**

Our intention is to respond to the consultation by **Friday 13<sup>th</sup> March 2020.**

## **Section 1 – Magistrates Court changes and Duty Solicitor Schemes affected.**

As detailed and for the reasons set out above, the following Magistrates Court will cease to list court duty matters from 1 April 2020:

- Beverley

As a result of this closure, the following Court Duty Rota Schemes may be affected:

- Beverley & Bridlington
- Hull

**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-andguidance> will be updated in accordance with this consultation.

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

### **Proposed Changes**

We set out below details of the options that we are proposing. We have also included a point of notification which provides some clarification on that issue.

At the end we indicate the option we favour.

It may be the case that you favour an alternative option. Please explain any alternative options which you would like us to consider.

### **Consultation Options**

Our proposals are as follows:

### **Option 1:**

We merge the Beverley & Bridlington and Hull Magistrates' Court Schemes. This will mean that all current Beverley & Bridlington only and Hull Duty Solicitors will have equal access to all work on the Hull Court Duty scheme.

This option would reflect the reality of how HMCTS will list cases from 1 April 2020.

It would also ensure that existing Beverley & Bridlington Scheme members would not lose out on access to matters arising from the existing Beverley & Bridlington Scheme.

On the other hand, existing Hull Scheme members might feel that they stand to lose work due to the inclusion of current Beverley & Bridlington Scheme members onto their rota(s).

All Hull Duty Scheme members currently on the Beverley & Bridlington Rota would continue to cover the Youth Courts listed at Beverley Magistrates Court when required.

### **Option 2:**

We remove the Beverley & Bridlington Court Duty Rota, apart from the need to cover Youth Courts on days trials are listed. No amendments would be made to the current Court Duty Scheme in Hull.

This would mean that existing Beverley & Bridlington Scheme members would lose Duty Solicitor work for that scheme. However, they would continue to be eligible to cover Youth Courts listed on the scheme as required.

Hull Duty Scheme members on the current Beverley & Bridlington Court Duty Rota would be required to cover Duty Slots for Youth Courts at Beverley & Bridlington as required.

### **Option 3:**

We remove the Beverley & Bridlington Court Duty Rota as outlined above in Option 2, above, however, only Hull Duty Scheme Members would be eligible to cover Youth Courts at Beverley & Bridlington.

### **Notification 1:**

Whichever of the above options is decided upon, we would expect Scheme members to also cover any Hull matters listed for court duty hearings and Youth Court hearings listed at Beverley & Bridlington.

### **Our Preference:**

Option 1 is preferred by the Legal Aid Agency. The reasons for this are: -

- It ensures that existing Beverley & Bridlington Scheme members have the benefit of maintaining Duty work on an enlarged/merged Beverley/Bridlington & Hull Scheme.
- Unlike Option 2, members who are only on the Beverley & Bridlington Scheme will not lose Duty Solicitor work as a result of the merged Schemes.

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

As outlined above, responses should be submitted to [David.Featherstone@Justice.gov.uk](mailto:David.Featherstone@Justice.gov.uk) by no later than **5pm on Friday 6<sup>th</sup> March 2020**.

In your response please state clearly which option, as set out in this letter, you are in favour of or if you are proposing a different option to be given consideration.

**Legal Aid Agency**