

Date: 21 September 2020

To: All Firms with Duty Solicitors on the
Leeds & Wakefield, Bradford & Calderdale
and Kirklees Schemes

Dear Colleague

Response to Consultation with Leeds & Wakefield, Bradford & Calderdale and Kirklees scheme members following HMCTS announcement to amend Saturday Courts from four Courts to three at Leeds Magistrates' Court from 1st October 2020

On 20th August 2020, the Legal Aid Agency issued a consultation regarding possible changes to the Leeds & Wakefield, Bradford & Calderdale and Kirklees Duty Solicitor scheme(s) affected by the HMCTS decision to amend Saturday Court operation from four courts to three at Leeds Magistrates Court from 1st October 2020.

The deadline for responses to the consultation was Thursday 10th September 2020. This letter is intended as formal notification of the outcome of the consultation.

Summary of Responses

A total of four responses were received to the consultation on proposed changes to the Leeds & Wakefield, Bradford & Calderdale and Kirklees Duty Solicitor Schemes as a result of the amendments to Saturday Court operations at Leeds Magistrates' Court.

Thank you to everyone who has taken the time to provide feedback proposal.

All four responses from current members of the schemes were in favour of Option 2.

Respondents also made the following comments:

One respondent suggested there should be two duty solicitors in respect of the Leeds & Wakefield Saturday Court. This is part of Option 2 and will be implemented.

One respondent suggested that when four courts are sitting (this will be on Bank Holidays only) current arrangements should apply. This will be the case as no changes to Bank Holiday arrangements are proposed in this consultation.

One respondent noted that Option 1 would give access to work to providers that they would not have been entitled to under the 2017 tender process. Option 2 was therefore preferred by this respondent.

One respondent raised a concern that duty solicitors already work into the afternoon on a Saturday with four courts operating and that this may be worsened with three courts. If a change had to be made, Option 2 was preferred as it presented fewer logistical problems. It was suggested that increases in custody and security staff at Court would help reduce waiting times and this information has been shared with HMCTS.

Decision

After careful consideration of the responses received, and the points raised within the same, the Legal Aid Agency have decided to proceed with **Option 2**. This means the current, separate rotas for Saturday and Bank Holiday courts will be split into two rotas.

The first will include duty solicitors from Leeds & Wakefield and Kirklees. There will be two duty solicitors on rota each Saturday. One duty solicitor from this rota will be allocated to Court 3 and one allocated to Court 4 each Saturday.

The second will include duty solicitors from Bradford & Calderdale. One duty solicitor from this rota will be allocated to cover Court 8 each Saturday.

Where possible, HMCTS will allocate work to the court rooms by origin.

The rationale for proceeding with this option is that HMCTS have indicated that a higher proportion of work each Saturday has come from the Leeds & Wakefield areas and this option aims to give a similar allocation of work to providers as the current rota. It should be noted, however, that although this option will look to keep a natural allocation of work from the originating area, volumes and the split of work cannot be guaranteed. This option also reflects the current Monday to Friday duty solicitor operations. Finally, this option was preferred by all four respondents.

Next steps

Option 2 proposed in the consultation document will take effect on 1st October 2020.

New rotas will be issued to cover the period from 1st October 2020.

Yours faithfully

Padraig Enright
Area Contract Manager