



**TO: ALL MEMBERS OF THE WESTMINSTER MAGISTRATES' COURT
AND WEST LONDON (HAMMERSMITH) COURT SCHEMES**

Dear Sir / Madam

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Response to Consultation with all members of the Westminster Magistrates' Court and West London (Hammersmith) Court scheme members regarding proposed changes to the Westminster and West London (Hammersmith) court schemes and the allocation of extradition rota slots.

On 4 February 2021, the Legal Aid Agency issued a consultation regarding possible changes to the Westminster and West London (Hammersmith) magistrates' court schemes and the allocation of extradition rota slots

The deadline for responses to the consultation was 25 February 2021 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 5 March 2021. Therefore, this letter is intended as formal notification of the outcome of the consultation.

A. Summary of Responses

7 responses were received to the consultation on proposed changes to the Duty Solicitor court scheme(s). Thank you to all of the respondents for taking the time to provide feedback on the proposals.

There is no decision that can meet the needs of everyone 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 at Westminster Magistrates' Court.

The options consulted on were:

Option 1 We maintain the current arrangements whereby only members of the Westminster magistrates' court scheme prior to the merger with the West London (Hammersmith) court scheme on 1 October 2019 can opt to be included on the rota for extradition matters undertaken at Westminster magistrates' court.

Option 2 We give all members of the merged Westminster magistrates' court and West London (Hammersmith) court scheme the option of being included on the rota for extradition matters undertaken at Westminster magistrates court.

B. Summary of Feedback

All respondents are current members of either the Westminster magistrates court scheme or the former West London (Hammersmith) court scheme. All are therefore directly impacted by any changes arising from this consultation.

3 respondents supported Option 1

4 respondents supported Option 2 which was also the LAA's favoured option.

The only alternative option put forward by any of the respondents was to have an extradition rota which is entirely separate from the Westminster Magistrates' Court scheme and which has eligibility criteria aimed at ensuring that members have expertise in respect of extradition work.

C. Decision

After careful consideration of the responses received, the Legal Aid Agency have decided to proceed with **Option 2, namely giving all members of the merged Westminster court and West London (Hammersmith) court schemes the option of inclusion on the extradition rota.**

We selected Option 2 because:-

- 1) It will ensure that all members of the Westminster magistrates' court and West London (Hammersmith) court schemes have the option of inclusion on the extradition rota.
- 2) Since there are currently no additional qualifying criteria for inclusion on the extradition rota, the Agency feels that it would not be reasonable to continue to exclude West London (Hammersmith) court scheme members from it despite the merger with the Westminster magistrates' court scheme. We would, however, encourage further discussion with representative bodies on the idea of having eligibility criteria in future contracts aimed at ensuring expertise of extradition work.
- 3) It makes production of the extradition and non-extradition rotas simpler than at present because it will no longer be necessary to consider West London (Hammersmith) court scheme members separately.
- 4) It continues to ensure an equitable distribution of rota slots amongst scheme members. This equal allocation of rota slots should act as a deterrent for any scheme members opting for inclusion on the extradition rota in the hope that it will lead to more rota slots.
- 5) It means that clients appearing at Westminster Magistrates' Court can continue to see local firms where possible.

D. Next steps

- The consultation document indicated that the changes arising from the consultation would be implemented from the next Crime Contract after the current 2017 Contract. We did, however, invite suggestions for implementation of the revised arrangements from an earlier date.

- Since none of the respondents expressed concern about an earlier implementation date and in light of the recently-announced extension to the 2017 Crime Contract, the Agency is intending to introduce the changes arising from Option 2 from 1st October 2021.
- The relevant changes to the postcode tool will be made to reflect the above change(s).

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Mike Forrester', written in a cursive style.

Mike Forrester
Area Contract Manager