Legal Aid Agency

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> **TO: ALL MEMBERS OF THE KIDDERMINSTER AND REDDITCH & BROMSGROVE POLICE STATION DUTY SCHEMES.**
>
> **Additional West Mercia Members and Black Country Scheme Members for Information only.**
>
> **RE: Kidderminster and Redditch & Bromsgrove Duty Schemes**

Consultation on changes to the membership of the Kidderminster and Redditch & Bromsgrove Police Station Duty Schemes.

The two Schemes currently run independently of each other. It is proposed that the Schemes be amalgamated into a single 24-hour Rota Scheme.

Further it is proposed to change the postcode boundaries for the existing Kidderminster Scheme so as to remove the DY8 1XX postcode. The inclusion of this postcode allows providers in that specific location access to both the Black Country Scheme and the Kidderminster / West Mercia Scheme. This dual Scheme access is an anomaly not replicated elsewhere in the West Midlands region.

This paper constitutes formal notice, under paragraph 6.60 of the 2022 Standard Crime Contract Specification - Duty Solicitor Provisions, which states that we may consult on a proposal to change the postcode boundaries in respect of a Scheme following the closure of a Police Station/Magistrates Court.

Please note: the changes proposed will not impact arrangements under the existing 2022 Standard Crime Contract. It is proposed that they come into force in the future 2025 Standard Crime Contract.

Duty Schemes

Since the closure of Redditch Police Station custody block Kidderminster Police Station has operated on the basis that upon receiving a call from Kidderminster Police Station the Defence Solicitor Call Centre will ask where the detainee was arrested. Calls have then been allocated to a member of the Redditch & Bromsgrove Rota or the Kidderminster Rota as appropriate based on location of arrest. Anecdotal evidence suggests that this system has operated with mixed success.

It has been confirmed that the new Police Station currently under construction in Redditch will also not have a custody suite. Given that the West Mercia remand court is now centralised in Kidderminster and Redditch Magistrates Court is no longer utilised for Crime work, consideration should now be given to permanently amalgamating the two Schemes so that the combined membership serve the Kidderminster Custody Suite on a single 24-hour Rota basis. This would simplify the administration of the Scheme while continuing to allocate work arising from Kidderminster Police station to local firms.

In addition, there is an anomaly with the DY8 1XX postcode. Over time and as a result of several changes to Police and Magistrates Court Estate and to Magistrates Court listing patterns, this postcode now gives access to two very large Duty Areas – The Black Country Scheme for Police Station and Court Duty work, and the West Mercia Court Duty Scheme and the Kidderminster Police Station Scheme. This was not intended.

Providers within the DY8 1XX postcode historically had access to the smaller Dudley/Brierly Hill/Halesowen and Kidderminster Duty Solicitor Schemes by virtue of the Duty Solicitor Regulations of a previous Contract which decided Scheme access by travel times by public transport to Police Stations and Courts– those rules are no longer in force.

We are now consulting on a proposal to change the Scheme boundary in preparation for the next tender. This postcode gives access to firms located there to both the Kidderminster/West Mercia and Black Country Rotas as an unintended consequence arising from changes in Justice System estate/operational delivery. The continuation of this single dual access postcode in the West Midlands has the potential to significantly distort the market in this postcode area and impact the associated Duty Schemes. This is a unique circumstance that is not reflected in any other Scheme across the West Midlands/West Mercia CJS Areas. We are therefore proposing that this postcode is removed from the Kidderminster Rota, as it falls within Dudley and that it is assigned to the Black Country Rota alone.

Proposal 1 - Duty Scheme Proposed Changes

OPTION 1

Amalgamate the Redditch & Bromsgrove Scheme with the Kidderminster Scheme to create one Rota from which slots will be allocated according to a single published Rota rather than by the arrest location.

OPTION 2

Make no change and continue with two Schemes running together at the single custody suite.

Proposal 2 - Postcode Tool Proposed Changes

OPTION 1

The Postcode Tool would be amended to show that providers based in the postcode DY8 1XX   would be eligible for the Black Country Scheme only.

OPTION 2

Make no change to the Postcode tool therefore continuing to allow providers located within that postcode access both the Kidderminster Scheme and the Black Country Scheme.

This Consultation

This consultation paper comprises two separate issues for consultation: In each case two options are set out for consideration.

It may be that you consider a different approach appropriate for either one or both of these issues and if this is the case, please make it clear in your response.

To assist our assessment please fully explain the reasoning behind your preference in your response to each issue or indicate your reasons for preferring any other alternative suggestion.

We are consulting on these proposals for **3** weeks, from **Monday 22 July**.

Responses are invited from members of the Kidderminster and Redditch/Bromsgrove Duty Schemes and the paper is circulated to Black Country and other West Mercia Scheme members for information.

Responses should be sent by email, marked **Kidderminster, Redditch & Bromsgrove Consultation** to Ann Delany ann.delany@justice.gov.uk **by 5pm on Monday 12 August.**

The timetable for this consultation exercise is as follows:

Stage	Duration	Start/end date
Consultation Period	3 weeks	22/07/24 to 12/08/24
Consideration of responses	1 week	13/08/24 to 20/08/24
Notification of any changes		No later than 27/08/24
Change to Post-Code Tool		September 2024
Date changes would take effect		Start date of the next Standard Crime Contract 2025.