



Legal Aid
Agency

Cambridge Office
The Magistrates' Court
St Andrew's Street
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2nd April 2025

To: All members of the Colchester & Clacton and Chelmsford & Harlow police station Duty Schemes

Additional: All members of Grays/Basildon and Southend Police Station Scheme

Response to the Consultation on the merger of the Colchester & Clacton and Chelmsford & Harlow Police Station Schemes.

On 19th February 2025, the Legal Aid Agency issued a consultation regarding possible changes to the Colchester/Clacton Police Station Duty Scheme following the decision by Essex Constabulary to close Clacton Police Station Custody Unit.

The deadline for responses to the consultation was 12th March 2025 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 4th April 2025. This letter is formal notification of the outcome of the consultation.

The Proposed Options

Option A

No change to existing arrangements. Duty scheme eligibility remains as currently set with separate schemes for Chelmsford/Harlow and Colchester.

The North Essex schemes would remain separate, and duty cases would continue to be allocated to the members of each separate scheme.

Option B

Combine the Colchester/Clacton Police Station Scheme with the Chelmsford/Harlow Police Station Scheme.

This proposal would combine both police station schemes and would result in a single combined Duty Rota covering the CJS areas of Colchester/Clacton and Chelmsford/Harlow.

Scheme Members would have access to North Essex Police Station work and would be required to service all the police stations in the combined CJS area.

The office postcode tool would be amended to combine the office postcodes that provide eligibility for the Colchester/Clacton and Chelmsford/Harlow schemes into a single scheme called the Colchester and Chelmsford scheme.

As part of the consultation exercise, we also invited comments on a possible future option to merge the North Essex police station schemes of Colchester/Clacton and Chelmsford/Harlow with the South Essex combined police station scheme, Grays/Southend, to give one combined police station scheme across the whole of Essex ('whole Essex' police station scheme).

Summary of Responses to the Options

We received five responses to the consultation on proposed changes to the Colchester/Clacton Police Station Scheme. One of those responses was submitted just after the consultation had closed, however, we decided to include the response in view of the potential impact this consultation may have on this respondent.

Three of the respondents are current members of the Colchester/Clacton and/or Chelmsford/Harlow Police Station Schemes and would potentially be impacted directly by any changes arising from this consultation.

Two of those providers supported Option B and the other preferred Option A.

Comments in support of Option B included:

"...this will remove the need for offices in Braintree, an area where there are no police stations or courts. There is a shortage of office premises in the area, and it will remove the anomaly of Braintree being a magic post code"

"...(it) would mirror the same system as in the south of the county which has been in successful operation for a few years"

"In addition, the central remand Court for all north remand cases is in Chelmsford. Chelmsford is the largest city in Essex. It has fast and reliable transport connections for all areas of the county. Colchester is only a 25 minute drive away and Harlow is only a 30 minute drive away. It is also a convenient location for clients to attend an office in person"

"...the north rotas have around 20 Duty Solicitors on the rota. It is an ageing rota, with at least 7 members reaching retirement age in the duration of the next contract. There is also the ongoing problem faced by all firms in the country in

recruiting and retaining Duty Solicitors against a background of challenges faced by the whole Criminal Justice sector. The removal of the specific postcode area in the South has had no adverse effect on these rotas. Indeed, these rotas have around 40 Duty Solicitors and have a far healthier and sustainable future going into the next contract... it will allow firms, like ours, more flexibility to share resources between offices. By having offices in municipal centres such as Chelmsford and Southend will also assist in recruiting new staff”.

The support for Option A included the following comment:

“...when the rota was previously combined, we found that it was not always very easy to cover Colchester and Clacton. I appreciate Clacton is now closing, so we would not have to worry about covering that area, however I suspect they will still conduct voluntary interviews in Clacton that would need to be covered. Clacton is a 120 mile round trip from our office. Colchester is an 88 mile round trip from our office. As a result, the requirement to be at the station within 45 minutes is not realistic”.

The other two respondents are in South Essex and are not directly impacted by the proposals in the consultation. For that reason, neither of those respondents commented on the proposals to merge the North Essex police station schemes.

Responses to a possible future wider Essex scheme merger

All five respondents gave feedback on a possible future ‘whole Essex’ combined police station scheme.

Two the respondents would welcome a consultation on a ‘whole Essex’ scheme. Supporting comments referred to such a scheme reflecting the police practice of “seeing detainees moved across the county”, and that an opt-in option “may assist with the fragility of some of the Essex schemes”.

Both of those respondents currently have offices in North and South Essex which gives them access to all Essex schemes. One mentioned “the financial pressure firms are under” and that Option B (whilst preferred) would require a firm to have an office in both North and South Essex. Therefore, they would welcome a future consultation that would enable them to have “one office within the borders of Essex....and firms could then choose which Court/Police Station rota they are able to cover”.

The other three respondents all opposed any future merger of the North and South schemes. All raised concerns about difficulties servicing the whole county for “those who have offices in the south or north only”. One respondent commented “this is a huge worry for myself and my firm, we would lose a significant amount of work which could be very damaging to the business”. One respondent also mentioned “there would also be a significant increase in travel costs as well as travel times for firms from the north to attend south police stations... and vice versa”.

One of the respondents further commented that if the North and South schemes were merged, they “would prefer the opt in or out of each police station option” but expressed a concern that “by doing so... (they) would lose work in the south, as there would be more solicitors on the rota for south police stations”. Another commented. “...we have no desire to be on the south rota as we would find it difficult to cover, however if we were to opt out then the impact on the business would be huge as our duty work would reduce by approx. half”.

Decision

Thank you to everyone who took the time to provide feedback on the consultation proposal and for the comments on a possible future merger of the North and South schemes.

A decision has been made which provides the greatest fairness to all scheme members that are affected by this change.

After careful consideration of the responses received, and the points raised within the same, the Legal Aid Agency have decided to proceed with Option B - to combine the Colchester/Clacton and the Chelmsford/Harlow Police Station Schemes.

Moving to a single North Essex Duty Solicitor rota is consistent with the intention of the police that 80% of Clacton cases will be taken to Colchester police station, whilst allowing a broader allocation of work to providers across North Essex. This option will bring the schemes into line with the North Essex combined court scheme. It will also address the issue for providers currently located in the ‘shared boundary’ area to find suitable office premises, as this option allows an office to be located anywhere within the wider, North Essex scheme boundary area.

Having carefully considered the comments on a potential ‘whole Essex’ scheme merger, we have decided not to proceed with a consultation on that at the current time, however, should that option be considered in future, we will consider the responses submitted here before consulting further.

Next steps

Option B proposed in the consultation document will take effect on 21 April 2025.

Duty Rotas

New rotas will be issued to cover the period 21 April 2025 to 30 September 2025.

One of the respondents commented that police operational practices mean that detainees may not be taken to the custody unit local to where the offence is committed and that is presenting logistical and practical problems for firms in covering multiple police stations. It is felt there is a need for a Duty Solicitor to just focus on the work at one police station.

The LAA agrees with this suggestion.

The process for allocating duty work for all Essex schemes will be according to the police station that the detainee has been taken to, irrespective of where the arrest occurred. The process will be that the DSCC will contact the Solicitor on the rota for the police station where the detainee is being held.

The only exception to this is for Grays police station, which is temporarily closed. Until it reopens (which is expected to be before the end of May 2025), the police and the DSCC are being asked to identify Grays cases, so that cases can be correctly allocated and that Duty Solicitors on the Grays police station rota do not lose out while the police station is temporarily closed.

Yours faithfully,



John Facey
Area Contract Manager
Legal Aid Agency