

15th Sept 2025

Brighton and the South East office 47 Grand Parade

Brighton BN2 9QA

**TO: ALL MEMBERS OF THE MAIDSTONE & WEST MALLING, WEST KENT (TONBRIDGE), MEDWAY, AND DARTFORD & GRAVESEND POLICE STATION DUTY SCHEMES**

# Response to the Consultation on the closure of the Maidstone Police Station Custody Unit currently served by the Maidstone and West Malling Duty Scheme.

On 18th August 2025, the Legal Aid Agency issued a consultation in response to the Kent Police decision to close Maidstone Police Station Custody Unit currently served by the Maidstone and West Malling Duty Scheme.

The deadline for responses to the consultation was 8th September 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 15th September 2025. This letter is formal notification of the outcome of the consultation.

# The Proposed Option

**Option**

No change to existing arrangements. Duty scheme eligibility remains as currently set with separate schemes for Maidstone & West Malling, West Kent (Tonbridge), Medway, and Dartford & Gravesend Police Station Duty Schemes.

The South East Region schemes would remain separate, and Custody staff should request the appropriate Duty Scheme from the DSCC based on the area of arrest. This approach provides continued access to police station duty work for Maidstone & West Malling scheme members in the short term and flexibility to review further once the impact becomes known.

# Summary of Responses to the Option

We received one response to the consultation, which contained the following comments:

“Going forward we should be permitted to claim for travel and waiting, given the much greater times and distances required due to action by the police which does not consider the impact upon our business.”

“The current proposal disadvantages those firms who are based in Maidstone and currently on the scheme.”

“It will limit the amount of work we can do during the 24-hour rota slot and means we will lose out in terms of profit costs, whilst at the same time increasing the amount of work on each case, due to increased travel and waiting, for which we will not be paid.”

# Decision

Thank you to everyone who took the time to review the consultation proposal and for the comments provided by way of feedback.

After careful consideration of the response received, the Legal Aid Agency have decided to proceed with our intention to make no change to the scheme boundaries in place at the current time. Maidstone Police Station will continue to deal with voluntary interviews after closure of the Custody Unit on 15th October 2025.

Kent Police have advised that detainees from the Maidstone area will be taken to the nearest Custody Unit under PACE, subject to operational considerations. These are expected to include Tonbridge, North Kent and Medway Custody Units. Custody staff should request the appropriate Duty Scheme from the DSCC based on the area arrested. Cases originating in the Maidstone & West Malling scheme will be paid fees relating to the Custody Centre where the client is first seen.

Picking up on the feedback received, the Criminal Legal Aid (Remuneration) Regulations do not allow the LAA to pay travel time on police station cases. Whilst it does not directly touch upon the travel issue, the Ministry of Justice have proposed uplifting police station fixed fees to £320 in the [Criminal Legal Aid: proposals for solicitor fee scheme reform - GOV.UK](https://www.gov.uk/government/consultations/criminal-legal-aid-proposals-for-solicitor-fee-scheme-reform)).

# Duty Rotas

No changes will be made to the Duty rotas issued to cover the period 1st October 2025 to 31st December 2025.

# Next steps

We will keep the situation under review; consider data and anecdotal evidence on how the decision to make no changes to scheme boundaries is working; and consider whether we need to bring forward further proposals in the months ahead.

**Mike Forrester**

**Area Contract Manager Legal Aid Agency**