



Legal Aid
Agency

**TO: ALL MEMBERS OF THE CAMBERWELL GREEN, CROYDON and
BROMLEY COURT DUTY SCHEMES**

Introduction and Background

This consultation is in response to HMCTS's decision to close Camberwell Green Magistrates' Court.

This Magistrates Court is currently served by the Camberwell Green Court Duty Scheme Members. We have tried to keep changes to a minimum.

The closure of Camberwell Green Magistrates' Court was consulted upon by HMCTS in September 2017, however, the court has remained operational since that time.

The Legal Aid Agency has now been informed by HMCTS colleagues that the last day of sittings at Camberwell will be 31st January 2020 and that matters that would previously have been dealt with at Camberwell Green Magistrates' Court will transfer to Croydon Magistrates' Court (HMCTS will start listing cases at Croydon Magistrates' Court from 27th January 2020).

The only exception to this are Southwark and Lambeth Youth Court matters which will continue to be heard at Bromley Youth Court. These are currently covered by Camberwell Green scheme members.

This Consultation

This consultation paper comprises of two sections:

Section 1 outlines the **Magistrates Court** closure and Duty Solicitor Schemes affected.

Section 2 outlines the options identified to change the Duty Solicitor Schemes affected within your local region.

We normally consult for 3 weeks however in view of the festive break, we have taken the decision to consult on these proposals for 4 weeks, from **Friday 6th December 2019**.

Responses should be sent by email to: Shahir.Ahmed@justice.gov.uk by **5pm on Friday 3rd January 2020**.

Our intention is to respond to the consultation by **Friday 10th January 2020**. We appreciate that this does not provide you with as much notice as you may have liked, however, this is unavoidable due to us only recently being made aware of the full details of this court estate change.

As the deadline for submission of CRM12 forms is 13th January 2020, providers will at least have an (admittedly limited) opportunity to consider applying for alternative schemes which they are eligible for.

Section 1 – Magistrates Court Closures and Duty Solicitor Schemes affected.

The following Magistrates Court will close from 31st January 2020

- Camberwell Green

This closure is taking place due to changes to the court estate which were consulted upon by HMCTS in September 2017 but which are only taking place in January 2020.

As a result of this closure, the following Court Duty Rota Schemes may be affected:

- Bromley (Youth Court only)
- Camberwell Green
- Croydon

All postcode sectors are mapped into at least one Duty Scheme. The changes proposed here will not affect this.

Determining Eligibility for revised Schemes

To assist providers in determining which Scheme(s) they are eligible to join, the postcode sectors providing access to work within each scheme, which can be found here: <https://www.gov.uk/guidance/duty-solicitors-rotas-information-and-guidance> will be updated in accordance with this consultation.

Section 2 – Proposed revisions to schemes

Proposed Changes

We set out below details of the options that we are proposing. We have also included a point of notification which provides some clarification on that issue.

At the end we indicate the option we favour.

It may be the case that you favour an alternative option. Please explain any alternative options which you would like us to consider.

Background to Changes

The closure of Camberwell Green Magistrates' Court was consulted upon by HMCTS in September 2017, however, the court has remained operational since that time.

The Legal Aid Agency has now been informed by HMCTS colleagues that the last day of sittings at Camberwell will be 31st January 2020 and that matters that would previously have been dealt with at Camberwell Green Magistrates' Court will transfer to Croydon Magistrates' Court.

The only exception to this are Southwark and Lambeth Youth Court matters which will continue to be heard at Bromley Youth Court. These are currently covered by Camberwell Green scheme members.

We have been advised that HMCTS will not separate the work into work which would previously have gone to Camberwell Green and that which would previously have gone to Croydon. HMCTS will however continue to separate Southwark and Lambeth Youth Court matters at Bromley Youth Court.

Consultation Options

Our proposals are as follows:

Option 1:

We merge the Camberwell Green and Croydon Magistrates' Court Schemes.

This option would reflect the reality of how HMCTS will actually list cases from 27th January 2020.

It would also ensure that existing Camberwell Green Scheme members would not lose out on access to matters arising from the existing Camberwell Green Scheme.

On the other hand, existing Croydon Scheme members might feel that they stand to lose work due to the inclusion of current Camberwell Scheme members onto their rota(s).

Option 2:

We merge the Camberwell Green and Croydon Magistrates' Court Schemes as specified under Option 1 but we prevent access to the merged scheme by providers whose office(s) is in the City of London, City of Westminster or the Royal Borough of Kensington & Chelsea.

This restriction is an attempt to address concerns about the potential time and/or cost associated with clients travelling to see their solicitor.

Option 3:

We close the Camberwell Green Scheme.

Closure of the Scheme would mean that existing Camberwell Scheme members would lose Duty Solicitor work for that scheme.

Notification 1:

Whichever of the above options is decided upon, we would expect scheme members to also cover any Southwark and Lambeth Youth Court matters currently heard at Bromley Youth Court. We are not intending to allocate this work to Bromley Scheme members.

Our Preference:

Option 2 is preferred by the Legal Aid Agency. The reasons for this are:-

- It ensures that existing Camberwell Green Scheme members have the benefit of maintaining Duty work on an enlarged/merged Camberwell & Croydon Scheme.
- Unlike Option 1, it may go some way to limiting any potential increase in time/cost for clients to travel to see their solicitor.

Respondents are invited to comment on these proposals and, if not in support of the proposals, to offer alternative suggestions.