

POLICE STATION FEES IN LONDON

A background paper from the London Criminal Courts Solicitors Association (LCCSA)

Geography & Social Characteristics

London has a population of 9 million people within its 607 square miles. It is a space within England and Wales like no other. It has the largest number of areas containing over 15000 people per square km and the fastest growing population within the UK with a 22.1% growth in the past 10 years.

It is also easily the most diverse space with 44.4% of the population identifying as “white”.

Almost 1 in 3, 29%, of the population have been defined as being in poverty in contrast to the UK average of 21%.

As a capital city, it is policed by the Metropolitan Police which has 32000 officers and which also acts as a national police force. For everyone interested in crime and policy, a recent article in the London Review of Books by Daniel Trilling is a very worthwhile read and is entitled Crisis at the Met.

He comments that London is unique in that “most large protests take place in London, as do many international sporting events and 1/3 of Premier League matches. The Met leads on terrorism and complex murder cases across the country, provides protection for royal, diplomatic and parliamentary officials and guards the UK’s largest airport.” Being the centre of government (and criminal justice) and a vast capital city has a consequence, namely a wider diversity of criminal cases.

Unplanning the Criminal Justice System

In London the CJS has evolved, entirely without any plan and is as a result incoherent in its geography. There is no logic to the placement of police stations, prisons and courts and they are certainly not near one another. This is contrast to other smaller cities where one may find the Crown Court and the Magistrates’ Court and main police station nestled together and solicitors office located nearby, eg. Leeds.

Consequences

The consequences of the geography and lack of planning is that for any criminal practitioner working in London involves a huge amount of travel and of course our clients choose to travel widely within London and indeed its contiguous counties and even further afield.

The difficulties of working in London have been compounded by the loss of many local police stations and courts. Police stations have been centralised as custody centres often in very inaccessible locations. They are also frequently unable to cope with the volume which leads

to many inefficiencies which include not answering the phone and not having interview rooms available and long delays as cases are handed over between shifts.

The structural consequences in relation to solicitors firms has been that individual entrepreneurs have sought gaps in the market and places to establish their firms using their local knowledge to estimate where there will be demand. The vast scale of London and the way in which its poverty/crime is distributed has led to a very different profile regarding providers. The number of providers is proportionate to the amount of crime but workloads are not heavily concentrated in the hands of a relatively small percentage of the supplier base as happens in smaller cities like Manchester.

We have made the point many times over the last 20 years that firms survive by reputation and this drives quality and client choice which are positive features of the market arrangements.

Trends

The trend within the CJS has been to exacerbate the problems facing practitioners as local courts and police stations have been closed and there has been a drive to locate new facilities at the far edges of London, e.g. HMP Belmarsh and HMP Thameside & Woolwich Crown Court. Particularly significant was the closure of a large court centre which was Camberwell Green. There have been proposals to close either HMP Pentonville or HMP Wormwood Scrubs and to locate all remand prisoners in just three prisons, namely Wandsworth, Belmarsh and High Down.

The relocation of the lower social economic strata (the poor) to the outskirts of capital cities and removing them from the centre is well documented as a global phenomenon by Mike Davies in the book Planet of Slums.

The History of Police Station Fees

Police station fees were based on time spent.

The move to standard fees was driven by government which for policy reasons had decided that standard fee structures were to be preferred to payment by time and it would appear that this was a bureaucratic and administrative imperative there being no other logic although it was of course an opportunity to impose further cuts.

The fees were based on the historic average claim for each police station. The consequence of the geography of London and the distances to be travelled meant that London fees were higher **which reflected the geographical realities**.

Reform

Whilst any injection of funds into the CJS is welcome, the proposal to uprate the lowest police station fees using an additional £16m of funding leaves London practitioners with nothing. As explained above differences in fees represent fundamental geographical realities and the unplanned nature of the distribution of police stations in London and its vast area and the practical difficulties of locating offices near police stations which are far removed from courts, prisons and indeed population centres which provide a client base.

The cost of doing business in London is higher than elsewhere with wages, rents and local taxes significantly greater. There would be an inherent unfairness in any reform which excluded London police station rates.

Assessing costs data is difficult because there is a significant underestimating of time. Time has ceased to matter as has all the other work that usually accompanies a police station event. The time spent on calls, emails and text messages to mum, girlfriend and other family, chasing officers and custody as well as the actual attendance are all under recorded or not recorded at all, not to mention all of the work post police station with witness viewings and chasing officers regarding future actions and outcomes.

Travel in particular is under recorded as we have been limited to a standard 45 minutes regardless of the real time involved in getting around London. Similarly, on long cases it is so difficult to reach the escape threshold that there is little incentive to fully record time. Similarly waiting is grossly under recorded.

It is worth mentioning that the duty schemes operate largely outside any normal working hours and that firms also provide their own out of hours schemes for own clients and that “standby, out of office hours” is entirely unremunerated by government who rejected at inception requests that standby payments be implemented for solicitors who had to spend night times waiting to see if they would be called out. The government receives a very large hidden value from the profession which has supplied this service without payment.

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