
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 222

LEGAL AID, ADVICE AND ASSISTANCE

**The Legal Aid in Criminal Proceedings (Costs)
(Amendment) Rules (Northern Ireland) 1996**

Made - - - - 3rd June 1996

To be laid before Parliament

Coming into operation 29th June 1996

The Lord Chancellor, in exercise of the powers conferred by Article 36(3) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(1), and now vested in him(2), and of all other powers enabling him in that behalf, after consultation with the Lord Chief Justice and the Attorney General and with the approval of the Treasury and having had regard to the principle of allowing fair remuneration according to the work reasonably undertaken and properly done, hereby makes the following Rules:—

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Legal Aid in Criminal Proceedings (Costs) (Amendment) Rules (Northern Ireland) 1996 and shall come into operation on 29th June 1996.

(2) In these Rules, “the principal Rules” means the Legal Aid in Criminal Proceedings (Costs) Rules (Northern Ireland) 1992(3).

Transitional provisions

2. Rules 4 and 5 shall apply for the purposes of work done on or after 30th June 1996 to which the principal Rules apply.

Alteration of date

3. In rules 6(3) and 9(5)(a) of the principal Rules for the date “30th June 1996” there shall be substituted “30th June 1997”.

(1) S.I. 1981/228 (N.I. 8)

(2) S.I. 1982/159

(3) S.R. 1992 No. 314; as amended by S.R. 1995 No. 243

Amendment to the principal Rules

4. Schedule 1 to the principal Rules shall be amended as follows—
 - (a) for paragraph 1 of Part I, there shall be substituted the paragraph set out in Schedule 1;
 - (b) for the table set out in paragraph 4(3) of Part II, there shall be substituted the table set out in Schedule 2.
5. Schedule 2 to the principal Rules shall be amended as follows—
 - (a) for the table set out in paragraph 8 of Part I of Schedule 2, there shall be substituted the table set out in Schedule 3;
 - (b) for Table 1 set out in Part II of Schedule 2, there shall be substituted the table set out in Schedule 4.

Dated 3rd June 1996

Mackay of Clashfern, C.

We approve

Dated 4th June 1996

*Bowen Wells
Derek Conway*
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

Rule 4(a)

1. Subject to paragraphs 2 and 3, the appropriate authority shall allow fees for work allowed by it under rule 6 at the following basic rates:

(a) Magistrates' court proceedings

Class of work	Rate
Preparation	£44.75 per hour
Advocacy	£56.50 per hour
Attendance at court where counsel assigned	£30.50 per hour
Travelling and waiting	£24.75 per hour
Routine letters written and routine telephone calls	£3.45 per item

(b) Crown Court proceedings, High Court bail applications and appeals to the county court

Class of work	Grade of fee-earner	Rate
Preparation	Senior solicitor	£53.00 per hour
	Solicitor or fee-earner of equivalent experience	£45.00 per hour
	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£29.75 per hour
Advocacy	Senior Solicitor	£64.50 per hour
	Solicitor	£56.00 per hour
Attendance at court where counsel assigned	Senior solicitor	£42.25 per hour
	Solicitor or fee-earner of equivalent experience	£34.00 per hour
	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£20.50 per hour
Travelling and waiting	Senior solicitor	£24.75 per hour
	Solicitor or fee-earner of equivalent experience	£24.75 per hour
	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£12.50 per hour
Routine letters written and routine telephone calls		£3.45 per item

SCHEDULE 2

Rule 4(b)

TABLE

Preparation

Type of Proceedings	Lower standard fee	Lower fee limit	Principal standard fee	Upper fee limit
Crown Court trials (including any case prepared for trial which was otherwise disposed of)	£129.50	£179.00	£249.50	£312.00
Guilty pleas	£81.50	£110.00	£175.00	£226.00
Appeals to the county court against conviction	£51.00	£68.00	£153.00	£233.00
Appeals to the county court against sentence	£36.25	£52.00	£93.00	£131.00
Proceedings of the type described in paragraph 1(2) (d)	£42.50	£51.00	£97.75	£141.00

Class of Work	Grade of fee-earner	Rate
ADVOCACY	Senior solicitor	£64.50 per hour
	Solicitor	£56.00 per hour
ATTENDANCE AT COURT WHERE COUNSEL ASSIGNED	Senior solicitor	£42.25 per hour
	Senior solicitor or fee-earner of equal experience	£42.25 per hour
	Solicitor or fee-earner of equal experience	£34.00 per hour
TRAVELLING AND WAITING	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£20.50 per hour
	Senior solicitor	£24.75 per hour
	Solicitor or fee-earner of equivalent experience	£24.75 per hour
	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£12.50 per hour

SCHEDULE 3

Rule 5(a)

TABLE

Type of Proceedings	Standard basic fee
Trials (including any case prepared for trial which is otherwise disposed of)	£240·00
Guilty pleas	£205·00
Appeals to the county court against conviction	£117·00
Appeals to the county court against sentence	£84·00
Proceedings of the type described in paragraph (d)	£73·50
Standard appearance fee	£46·50
Standard refresher fee	
(1) Half day	£86·00
(2) Full day	£166·00
(3) More than a full day	£251·00
Standard written work fee	£30·00

SCHEDULE 4

Rule 5(b)

TABLE 1: JUNIOR COUNSEL

Court	Type of proceedings	Basic Fee	Full day refresher fee	Subsidiary Fees		
				Attendance at consultations, conferences and views	Written work	Attendance at applications and other appearances
Magistrates' Court	All cases	<i>Maximum amount:</i> £468·00	<i>Maximum amount:</i> £162·00	£29·25 <i>per hour</i> <i>Minimum amount:</i> £14·50	<i>Maximum amount:</i> £51·25	<i>Maximum amount:</i> £94·00
County Court	Appeals against conviction	<i>Maximum amount:</i> £210·00				
	Appeals against sentence	<i>Maximum amount:</i> £107·50	<i>Maximum amount:</i> £178·75	£33·50 <i>per hour</i> <i>Minimum</i>	<i>Maximum amount:</i> £58·25	<i>Maximum amount:</i> £99·50

Status: This is the original version (as it was originally made). Northern Ireland Statutory Rules are not carried in their revised form on this site.

Court	Type of proceedings	Basic Fee	Full day refresher fee	Subsidiary Fees		
				Attendance at consultations, conferences and views	Written work	Attendance at applications and other appearances
				<i>amount:</i> £16.75		
Crown Court	Trials	<i>Maximum amount:</i> £545.50				
	Cases prepared for trial which are otherwise disposed of	<i>Maximum amount:</i> £317.75	<i>Maximum amount:</i> £236.50	£33.50 <i>per hour</i> <i>Minimum amount:</i> £16.75	<i>Maximum amount:</i> £58.25	<i>Maximum amount:</i> £99.50
	Guilty Pleas	<i>Maximum amount:</i> £260.00				
	Proceedings of the type described in paragraph 7(d)	<i>Maximum amount:</i> £107.50				
High Court	Bail applications	<i>Maximum amount:</i> £71.00				

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules amend the Legal Aid in Criminal Proceedings (Costs) Rules (Northern Ireland) 1992 by increasing the rates of remuneration for certain legal aid work in criminal proceedings done on or after 30th June 1996. The Rules also alter the date after which certain work may be remunerated at discretionary instead of prescribed rates from 30th June 1996 to 30th June 1997.