

SCHEDULE 1

Rule 5

Solicitors' Fees

STANDARD FEES FOR YOUTH CONFERENCES

Allowance of standard fees

1.—(1) The Commission shall allow the standard fee for the youth conference which has been claimed by a solicitor (together with the appropriate standard fee for travelling and waiting) unless –

- (a) where the principal standard fee has been claimed, the conference lasted no more than one hour in which case the lower standard fee shall be allowed, or
- (b) where a fee in excess of the principal standard fee has been claimed, in which case (if the conference lasted in excess of two hours) an additional fee of £44.75 per hour shall be allowed.

(2) A solicitor who has been allowed a lower fee than that claimed may –

- (a) accept the lower fee, or
- (b) request the Commission in writing to review its decision.

(3) Where the Commission is requested to review its decision under sub-paragraph (2)(b), the Commission shall either –

- (a) allow the fee claimed; or
- (b) request the solicitor to provide a detailed claim in the form directed by the Commission, and then redetermine the solicitor's fees.

(4) Where a solicitor fails to make a request under sub-paragraph (2)(b) or to supply a detailed claim for the purpose of sub-paragraph (3)(b) within 6 weeks of the decision to allow the lower fee or the request to supply a detailed claim, whichever is the later, the decision to allow the lower fee shall be deemed to be confirmed.

Standard fees

2.—(1) The classes of work for which standard fees shall be payable are those specified in sub-paragraph (2).

(2) The classes of work specified for the purposes of sub-paragraph (1) are –

- (a) all preparation work (since the date of grant of the criminal aid certificate under Article 28A of the Order) and attendance at a diversionary youth conference;
- (b) attendance at a court-ordered youth conference;
- (c) travelling and waiting.

(3) The standard fees payable under this Schedule are the fees specified in the Tables below.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

TABLES

Diversionary Youth Conferences (Preparation and Attendance)

	<i>Lower standard fee — Conferences lasting up to and including one hour</i>	<i>Principal standard fee — Conferences lasting more than one hour but not exceeding two hours</i>	<i>Conferences lasting in excess of two hours</i>
Standard fee	£112	£180	£180 + £44.75 per hour for additional hours attended

Court-ordered Youth Conferences (Attendance only)

	<i>Lower standard fee — Conferences lasting up to and including one hour</i>	<i>Principal standard fee — Conferences lasting more than one hour but not exceeding two hours</i>	<i>Conferences lasting in excess of two hours</i>
Standard fee	£70	£112.50	£112.50 + £44.75 per hour for additional hours attended

Travelling and Waiting

Solicitor or fee-earner of equivalent experience	£24.75 per hour
An apprentice or a pupil to solicitor or fee-earner of equivalent experience	£12.50 per hour

(4) Subject to sub-paragraph (5), fees for attendance at a youth conference shall be paid as specified in the above Tables in respect of the period of time beginning 15 minutes before the case was listed for the first occasion and ending –

- (a) where the client was present at the youth conference, 15 minutes after the conference finally ended, or
- (b) where the client failed to attend, when the meeting ended on that day,

and, save in exceptional circumstances, shall not be payable during any luncheon adjournment.

(5) Where a solicitor attends a youth conference centre for the purposes of more than one case, the solicitor may claim the waiting fee in respect of the second or subsequent case only for the time actually spent waiting in addition to the time for which payment is made under sub-paragraph (4).

(6) Where a solicitor acts for more than one child, the Commission shall allow whichever of the appropriate standard fees is the greater and increase that fee by 20% for each additional child, but no percentage increase shall be made to the standard fee for travelling and waiting.

(7) Where a solicitor acts for a child in respect of more than one proceeding which is dealt with by way of a youth conference, the Commission shall allow whichever of the appropriate standard fees is the greater and increase that fee by 20% for each additional proceeding as the case may be.

Review

3. Irrespective of any dispute under paragraph 1 as to whether the principal standard fee should have been allowed instead of the lower standard fee, where a solicitor contends that the provisions of paragraph 2(6) or (7) have been incorrectly applied, he may, within 6 weeks of receipt of notification of the decision, make a written request setting out his reasons why the decision should be reviewed and, if the Commission confirms its decision, written reasons shall be given.