

**2011 No. 152**

**LEGAL AID AND ADVICE**

**The Legal Aid for Crown Court Proceedings (Costs)  
(Amendment) Rules (Northern Ireland) 2011**

*Made* - - - - *23rd March 2011*

*Coming into operation* - *13th April 2011*

The Department of Justice makes the following Rules in exercise of the powers conferred by Article 36(3) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(a), and now vested in it(b).

In accordance with Article 36(3) of that Order, the Department has consulted with the Lord Chief Justice, the Attorney General and the Crown Court Rules Committee and it has obtained the approval of the Department of Finance and Personnel.

In accordance with Article 37 of that Order, the Department has had regard to the matters specified in that Article.

**Citation, commencement and application**

1. These Rules may be cited as the Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2011 and shall come into operation on 13th April 2011.

2. In these Rules a reference to a rule or Schedule by number alone is a reference to the rule or Schedule so numbered in or to the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005(c).

3.—(1) Subject to paragraph (2), these Rules apply for the determination of costs which are payable in respect of work done under a criminal aid certificate granted under Article 29, or deemed to have been granted under Article 36(2), of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 on or after 13th April 2011.

(2) The Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005 continue to apply as if these Rules had not been made in respect of cases in which a criminal aid certificate was granted under Article 29, or deemed to have been granted under Article 36(2), of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 before 13th April 2011.

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(a) S.I. 1981/228 (N.I. 8)  
(b) S.I. 1982/159 and S.I. 2010/976  
(c) S.R. 2005 No. 112, which was amended by S.R. 2009 No. 267

## **Amendments to the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005**

4. The Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005 are amended as follows.

5. In each place where it appears, for “advocate” substitute “counsel”.

6. In rule 2—

- (a) omit the definition of ‘advocate’;
- (b) omit the definition of ‘Certificate of Exceptionality’;
- (c) after the definition of ‘counsel’, insert—
  - ““court-ordered youth conference” has the meaning given by Article 33A(5) of the Criminal Justice (Children) (Northern Ireland) Order 1998(a);
  - “the Department” means the Department of Justice established by the Department of Justice Act (Northern Ireland) 2010(b);”;
- (d) omit the definition of ‘the Court Service’;
- (e) after the definition of ‘main hearing’, insert—
  - ““meeting” has the meaning given by Article 3A(1) and (2) of the Criminal Justice (Children) (Northern Ireland) Order 1998;”;
- (f) after the definition ‘the Order’, insert—
  - ““PPE Range” means the number of pages of prosecution evidence, and for this purpose the number of pages of prosecution evidence includes all—
  - (a) witness statements,
  - (b) documentary and pictorial exhibits,
  - (c) records of interviews with the assisted person, and
  - (d) records of interviews with other defendants,served on the court;
  - “Queen’s Counsel” includes senior counsel practising outside of Northern Ireland;”;
- (g) after the definition of ‘taxing master’, insert—
  - ““youth conference” has the meaning given by Article 3A(1) of the Criminal Justice (Children) (Northern Ireland) Order 1998;
  - “youth conference co-ordinator” has the meaning given by Article 3A(3) of the Criminal Justice (Children) (Northern Ireland) Order 1998.”;
- (h) omit the definitions of ‘a Very High Cost Case’ and ‘a Very High Cost Case Certificate’.

7. In rule 4—

- (a) in paragraph (1), omit “Subject to rules 16 and 17,”;
- (b) after paragraph (2), insert—
  - “(3) Nothing in these Rules permits the payment of a leading junior counsel fee to counsel or a solicitor of less than fifteen years’ standing.”.

8. After rule 4, insert—

### **“Enhanced costs where solicitor conducts trial or hearing**

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(a) S.I. 1998/1504 (N.I. 9); Article 33A was inserted by section 59 of the Justice (Northern Ireland) Act 2002 (c. 26) and Article 3A was inserted by section 57 of that Act  
(b) 2010 c. 3

**4A.**—(1) Where a solicitor exercising his right of audience under section 50 of the Judicature (Northern Ireland) Act 1978(a) conducts a trial or hearing without counsel he shall be entitled to an enhancement of his costs in accordance with this rule.

(2) Subject to paragraphs (4) to (6), where the solicitor has at least three years' standing, the amount of any enhancement under this rule shall be the standard fee to which a sole junior counsel, if conducting the trial or hearing, would have been entitled.

(3) Subject to paragraphs (4) to (6), where the solicitor has less than three years' standing, the amount of any enhancement under this rule shall be fifty per cent of the standard fee to which a sole junior counsel, if conducting the trial or hearing, would have been entitled.

(4) This rule also applies where a criminal aid certificate was granted for two counsel and a solicitor conducts the trial or hearing with or without a second counsel.

(5) Where the solicitor has at least three years' standing, the amount of any enhancement under this rule shall be the standard fee to which a leading junior counsel (or led junior counsel, as applicable), if conducting the trial or hearing, would have been entitled.

(6) Where the solicitor has less than three years' standing, the amount of any enhancement under this rule shall be fifty percent of the standard fee to which a leading junior counsel (or led junior counsel, as applicable), if conducting the trial or hearing, would have been entitled.”.

**9.** Omit rule 7(4).

**10.** In rule 8—

- (a) omit paragraphs (4) to (14);
- (b) after paragraph (3), insert—

“(14A) Costs in respect of work done in a case which proceeded to trial and that trial lasted more than 80 days shall be assessed by the Commission in accordance with paragraph (14B), and on an exceptional basis may be submitted to the Department for approval.

(14B) When assessing the costs payable under paragraph (14A), the Commission shall have regard to—

- (a) the Basic Trial Fee and the Refresher Fee payable for trials lasting between 17 and 80 days; and
  - (b) any Additional Fees which would otherwise be payable under Part 4 of Schedule 1.
- ”.

**11.** Omit rule 10(4).

**12.** In rule 11—

- (a) omit paragraphs (4) to (8);
- (b) after paragraph (3), insert—

“(8A) Costs in respect of work done in a case which proceeded to trial and that trial lasted more than 80 days shall be assessed by the Commission in accordance with paragraph (8B), and on an exceptional basis may be submitted to the Department for approval.

(8B) When assessing the costs payable under paragraph (8A), the Commission shall have regard to—

- (a) the Basic Trial Fee and the Refresher Fee payable for trials lasting between 73 and 80 days; and
  - (b) any Additional Fees which would otherwise be payable under Part 4 of Schedule 1.
- ”.

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(a) 1978 c. 23

**13.** In rule 13—

- (a) in paragraph (1)—
  - (i) omit sub-paragraph (b);
  - (ii) omit “, to review the decision”;
- (b) in paragraph (6)(a), omit “or the decision referred to in paragraph (1)(b), as the case may be,”;
- (c) omit paragraph (9).

**14.** Omit rule 14(15).

**15.** Omit rules 16, 16A, 16B, 16C, 17, 17A and 17B.

**16.** In rule 19(1)(a), for the words “, 15, 16 or 17” substitute “or 15”.

**17.** In rule 20(4)(a), after “the Lord Chief Justice,” insert “the Attorney General,”.

**18.** In Schedule 1—

- (a) omit paragraph 1;
- (b) following paragraph 7, for the Tables of Basic Trial Fees and Refresher Fees, substitute the following Tables—

**“TABLES OF BASIC TRIAL FEES AND REFRESHER FEES**

**(a) Basic Trial Fees**

**SOLICITOR**

<i>Offence falling within</i>	<i>Actual Duration of Trial</i>		
	<i>Trial Fee 1 1 to 8 days</i>	<i>Trial Fee 2 9 to 16 days</i>	<i>Trial Fee 3 17 to 80 days</i>
Class A	£6,465	£8,599	£12,868
Class B	£2,325	£3,348	£4,888
Class C	£1,425	£2,038	£2,955
Class D	£3,600	£5,400	£7,182
Class E	£1,425	£2,038	£2,955
Class F	£1,650	£2,360	£3,422
Class G	£2,700	£4,050	£5,387
Class H	£1,425	£2,038	£2,955
Class I	£1,425	£2,038	£2,955

**COUNSEL**

		<i>Queen's Counsel</i>									
		<i>Actual Duration of Trial</i>									
<i>Offence falling within</i>		<i>Trial Fee 1</i>	<i>Trial Fee 2</i>	<i>Trial Fee 3</i>	<i>Trial Fee 4</i>	<i>Trial Fee 5</i>	<i>Trial Fee 6</i>	<i>Trial Fee 7</i>	<i>Trial Fee 8</i>	<i>Trial Fee 9</i>	<i>Trial Fee 10</i>
	<i>1 to 8 days</i>		<i>9 to 16 days</i>	<i>17 to 24 days</i>	<i>25 to 32 days</i>	<i>33 to 40 days</i>	<i>41 to 48 days</i>	<i>49 to 56 days</i>	<i>57 to 64 days</i>	<i>65 to 72 days</i>	<i>73 to 80 days</i>
Class A	£6,000	£8,000	£12,000	£16,000	£20,000	£28,000	£36,000	£48,000	£60,000	£72,000	
Class B	£3,200	£4,600	£6,700	£9,660	£12,075	£16,905	£21,735	£28,980	£36,225	£43,470	
Class C	£2,800	£4,000	£5,800	£8,400	£10,500	£14,700	£18,900	£25,200	£31,500	£37,800	
Class D	£4,000	£6,000	£8,000	£12,000	£15,000	£21,000	£27,000	£36,000	£44,999	£53,999	
Class E	£2,800	£4,000	£5,800	£8,400	£10,500	£14,700	£18,900	£25,200	£31,500	£37,800	
Class F	£2,800	£4,000	£5,800	£8,400	£10,500	£14,700	£18,900	£25,200	£31,500	£37,800	
Class G	£4,000	£6,000	£8,000	£12,000	£15,000	£21,000	£27,000	£36,000	£44,999	£53,999	
Class H	£2,800	£4,000	£5,800	£8,400	£10,500	£14,700	£18,900	£25,200	£31,500	£37,800	
Class I	£2,800	£4,000	£5,800	£8,400	£10,500	£14,700	£18,900	£25,200	£31,500	£37,800	

*Leading Junior Counsel*

<i>Offence falling within</i>	<i>Actual Duration of Trial</i>									
	<i>Trial Fee 1</i>	<i>Trial Fee 2</i>	<i>Trial Fee 3</i>	<i>Trial Fee 4</i>	<i>Trial Fee 5</i>	<i>Trial Fee 6</i>	<i>Trial Fee 7</i>	<i>Trial Fee 8</i>	<i>Trial Fee 9</i>	<i>Trial Fee 10</i>
	<i>1 to 8</i>	<i>9 to 16</i>	<i>17 to 24</i>	<i>25 to 32</i>	<i>33 to 40</i>	<i>41 to 48</i>	<i>49 to 56</i>	<i>57 to 64</i>	<i>65 to 72</i>	<i>73 to 80</i>
	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>
Class A	£4,500	£6,000	£9,000	£12,000	£15,000	£21,000	£27,000	£36,000	£45,000	£54,000
Class B	£2,400	£3,450	£5,025	£7,245	£9,056	£12,679	£16,301	£21,735	£27,168	£32,602
Class C	£2,100	£3,000	£4,350	£6,300	£7,875	£11,025	£14,175	£18,900	£23,625	£28,350
Class D	£3,000	£4,500	£6,000	£9,000	£11,250	£15,750	£20,250	£27,000	£33,750	£40,500
Class E	£2,100	£3,000	£4,350	£6,300	£7,875	£11,025	£14,175	£18,900	£23,625	£28,350
Class F	£2,100	£3,000	£4,350	£6,300	£7,875	£11,025	£14,175	£18,900	£23,625	£28,350
Class G	£3,000	£4,500	£6,000	£9,000	£11,250	£15,750	£20,250	£27,000	£33,750	£40,500
Class H	£2,100	£3,000	£4,350	£6,300	£7,875	£11,025	£14,175	£18,900	£23,625	£28,350
Class I	£2,100	£3,000	£4,350	£6,300	£7,875	£11,025	£14,175	£18,900	£23,625	£28,350

*Led Junior Counsel*

<i>Offence falling within</i>	<i>Actual Duration of Trial</i>									
	<i>Trial Fee 1</i>	<i>Trial Fee 2</i>	<i>Trial Fee 3</i>	<i>Trial Fee 4</i>	<i>Trial Fee 5</i>	<i>Trial Fee 6</i>	<i>Trial Fee 7</i>	<i>Trial Fee 8</i>	<i>Trial Fee 9</i>	<i>Trial Fee 10</i>
	<i>1 to 8</i>	<i>9 to 16</i>	<i>17 to 24</i>	<i>25 to 32</i>	<i>33 to 40</i>	<i>41 to 48</i>	<i>49 to 56</i>	<i>57 to 64</i>	<i>65 to 72</i>	<i>73 to 80</i>
	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>	<i>days</i>
Class A	£3,600	£4,800	£7,200	£9,600	£12,000	£16,800	£21,600	£28,800	£36,000	£43,200
Class B	£1,920	£2,760	£4,020	£5,796	£7,245	£10,143	£13,041	£17,388	£21,735	£26,082
Class C	£1,400	£2,000	£2,900	£4,200	£5,250	£7,350	£9,450	£12,600	£15,750	£18,900
Class D	£2,000	£3,000	£4,000	£6,000	£7,500	£10,500	£13,500	£18,000	£22,500	£27,000
Class E	£1,400	£2,000	£2,900	£4,200	£5,250	£7,350	£9,450	£12,600	£15,750	£18,900
Class F	£1,400	£2,000	£2,900	£4,200	£5,250	£7,350	£9,450	£12,600	£15,750	£18,900
Class G	£2,000	£3,000	£4,000	£6,000	£7,500	£10,500	£13,500	£18,000	£22,500	£27,000
Class H	£1,400	£2,000	£2,900	£4,200	£5,250	£7,350	£9,450	£12,600	£15,750	£18,900
Class I	£1,400	£2,000	£2,900	£4,200	£5,250	£7,350	£9,450	£12,600	£15,750	£18,900

<i>Sole Junior Counsel</i>										
<i>Offence falling within</i>	<i>Action Duration of Trial</i>									
	<i>Trial Fee 1</i>	<i>Trial Fee 2</i>	<i>Trial Fee 3</i>	<i>Trial Fee 4</i>	<i>Trial Fee 5</i>	<i>Trial Fee 6</i>	<i>Trial Fee 7</i>	<i>Trial Fee 8</i>	<i>Trial Fee 9</i>	<i>Trial Fee 10</i>
	<i>1 to 8 days</i>	<i>9 to 16 days</i>	<i>17 to 24 days</i>	<i>25 to 32 days</i>	<i>33 to 40 days</i>	<i>41 to 48 days</i>	<i>49 to 56 days</i>	<i>57 to 64 days</i>	<i>65 to 72 days</i>	<i>73 to 80 days</i>
Class A	£3,900	£5,200	£7,800	£10,400	£13,000	£18,200	£23,400	£31,200	£39,000	£46,800
Class B	£2,080	£2,990	£4,355	£6,279	£7,849	£10,988	£14,128	£18,837	£23,546	£28,255
Class C	£1,820	£2,600	£3,770	£5,460	£6,825	£9,555	£12,285	£16,380	£20,475	£24,570
Class D	£2,600	£3,900	£5,200	£7,800	£9,750	£13,650	£17,550	£23,400	£29,250	£35,100
Class E	£1,820	£2,600	£3,770	£5,460	£6,825	£9,555	£12,285	£16,380	£20,475	£24,570
Class F	£1,820	£2,600	£3,770	£5,460	£6,825	£9,555	£12,285	£16,380	£20,475	£24,570
Class G	£2,600	£3,900	£5,200	£7,800	£9,750	£13,650	£17,550	£23,400	£29,250	£35,100
Class H	£1,820	£2,600	£3,770	£5,460	£6,825	£9,555	£12,285	£16,380	£20,475	£24,570
Class I	£1,820	£2,600	£3,770	£5,460	£6,825	£9,555	£12,285	£16,380	£20,475	£24,570

**(b) Refresher Fees  
SOLICITOR**

<i>Actual Duration of Trial</i>	
<i>Offence falling within Classes A to I</i>	<i>Refresher Fee 1</i>
	<i>2 to 8 days</i>
	£375
	£188
	<i>Refresher Fee 2</i>
	<i>9 to 16 days</i>
	£450
	£225
	<i>Refresher Fee 3</i>
	<i>17 to 80 days</i>
	£525
	£263



**COUNSEL**

<i>Queen's Counsel</i>										
<i>Actual Duration of Trial</i>										
<i>Offence falling within Classes A to I</i>	<i>Refresher Fee 1</i>	<i>Refresher Fee 2</i>	<i>Refresher Fee 3</i>	<i>Refresher Fee 4</i>	<i>Refresher Fee 5</i>	<i>Refresher Fee 6</i>	<i>Refresher Fee 7</i>	<i>Refresher Fee 8</i>	<i>Refresher Fee 9</i>	<i>Refresher Fee 10</i>
	<i>2 to 8 days</i>	<i>9 to 16 days</i>	<i>17 to 24 days</i>	<i>25 to 32 days</i>	<i>33 to 40 days</i>	<i>41 to 48 days</i>	<i>49 to 56 days</i>	<i>57 to 64 days</i>	<i>65 to 72 days</i>	<i>73 to 80 days</i>
Full Day	£400	£480	£560	£640	£720	£800	£800	£800	£800	£800
Half Day	£200	£240	£280	£320	£360	£400	£400	£400	£400	£400

<i>Leading Junior Counsel</i>										
<i>Actual Duration of Trial</i>										
<i>Offence falling within Classes A to I</i>	<i>Refresher Fee 1</i>	<i>Refresher Fee 2</i>	<i>Refresher Fee 3</i>	<i>Refresher Fee 4</i>	<i>Refresher Fee 5</i>	<i>Refresher Fee 6</i>	<i>Refresher Fee 7</i>	<i>Refresher Fee 8</i>	<i>Refresher Fee 9</i>	<i>Refresher Fee 10</i>
	<i>2 to 8 days</i>	<i>9 to 16 days</i>	<i>17 to 24 days</i>	<i>25 to 32 days</i>	<i>33 to 40 days</i>	<i>41 to 48 days</i>	<i>49 to 56 days</i>	<i>57 to 64 days</i>	<i>65 to 72 days</i>	<i>73 to 80 days</i>
Full Day	£300	£360	£420	£480	£540	£600	£600	£600	£600	£600
Half Day	£150	£180	£210	£240	£270	£300	£300	£300	£300	£300

<i>Led Junior Counsel</i>										
<i>Actual Duration of Trial</i>										
<i>Offence falling within Classes A to I</i>	<i>Refresher Fee 1</i>	<i>Refresher Fee 2</i>	<i>Refresher Fee 3</i>	<i>Refresher Fee 4</i>	<i>Refresher Fee 5</i>	<i>Refresher Fee 6</i>	<i>Refresher Fee 7</i>	<i>Refresher Fee 8</i>	<i>Refresher Fee 9</i>	<i>Refresher Fee 10</i>
	<i>2 to 8 days</i>	<i>9 to 16 days</i>	<i>17 to 24 days</i>	<i>25 to 32 days</i>	<i>33 to 40 days</i>	<i>41 to 48 days</i>	<i>49 to 56 days</i>	<i>57 to 64 days</i>	<i>65 to 72 days</i>	<i>73 to 80 days</i>
Full Day	£200	£240	£280	£320	£360	£400	£400	£400	£400	£400
Half Day	£100	£120	£140	£160	£180	£200	£200	£200	£200	£200

<i>Sole Junior Counsel</i>										
<i>Actual Duration of Trial</i>										
<i>Offence falling within Classes A to I</i>	<i>Refresher Fee 1</i>	<i>Refresher Fee 2</i>	<i>Refresher Fee 3</i>	<i>Refresher Fee 4</i>	<i>Refresher Fee 5</i>	<i>Refresher Fee 6</i>	<i>Refresher Fee 7</i>	<i>Refresher Fee 8</i>	<i>Refresher Fee 9</i>	<i>Refresher Fee 10</i>
	<i>2 to 8 days</i>	<i>9 to 16 days</i>	<i>17 to 24 days</i>	<i>25 to 32 days</i>	<i>33 to 40 days</i>	<i>41 to 48 days</i>	<i>49 to 56 days</i>	<i>57 to 64 days</i>	<i>65 to 72 days</i>	<i>73 to 80 days</i>
Full Day	£260	£312	£364	£416	£468	£520	£520	£520	£520	£520
Half Day	£130	£156	£182	£208	£234	£260	£260	£260	£260	£260**

- (c) in paragraph 8(2)—
- (i) after “subject to paragraphs” insert “10A, 14, 15A, 18A, 18B,”;
  - (ii) omit “(and also to paragraph 10 in respect of an advocate)”;
- (d) in paragraph 9, after “according to paragraph 5” insert “and furthermore, where the case was a Guilty Plea 2, the PPE Range”;
- (e) following paragraph 9, for the Tables of Guilty Plea Fees, substitute the following Tables—

**“TABLES OF GUILTY PLEA FEES**

**(a) Guilty Plea 1 Fees**

**SOLICITOR**

<i>Offence falling within</i>	<i>Fee</i>
Class A	£5,813
Class B	£1,395
Class C	£926
Class D	£2,880
Class E	£926
Class F	£990
Class G	£1,620
Class H	£926
Class I	£926

**COUNSEL**

<i>Offence falling within</i>	<i>Queen’s Counsel Fee</i>	<i>Leading Junior Counsel Fee</i>	<i>Led Junior Counsel Fee</i>	<i>Sole Junior Counsel Fee</i>
Class A	£2,860	£2,145	£1,430	£1,859
Class B	£1,820	£1,365	£910	£1,183
Class C	£1,560	£1,170	£780	£1,014
Class D	£1,976	£1,482	£988	£1,285
Class E	£1,560	£1,170	£780	£1,014
Class F	£1,560	£1,170	£780	£1,014
Class G	£1,976	£1,482	£988	£1,285
Class H	£1,560	£1,170	£780	£1,014
Class I	£1,560	£1,170	£780	£1,014

**(b) Guilty Plea 2 Fees**  
**SOLICITOR**

<i>Offence falling within</i>	<i>PPE Range</i>	<i>Fee</i>
Class A	1 – 750	£6,465
Class A	751 – 3,000	£11,236
Class A	3,001+	£25,282
Class B	1 – 687	£1,628
Class B	688 – 1,462	£11,236
Class B	1,463 +	£25,282
Class C	1 – 714	£1,069
Class C	715 – 1,262	£11,236
Class C	1,263 +	£25,282
Class D	1 – 733	£3,240
Class D	734 – 1,631	£11,236
Class D	1,632 +	£25,282
Class E	1 – 750	£1,069
Class E	751 – 1,636	£11,236
Class E	1,637 +	£25,282
Class F	1 – 677	£1,155
Class F	678 – 1,225	£11,236
Class F	1,226 +	£25,282
Class G	1 – 750	£1,890
Class G	751 – 1,750	£11,236
Class G	1,751 +	£25,282
Class H	1 – 750	£1,069
Class H	751 – 1,443	£11,236
Class H	1,444 +	£25,282
Class I	1 – 870	£1,069
Class I	871 – 1,606	£11,236
Class I	1,607 +	£25,282

## COUNSEL

<i>Offence falling within</i>	<i>PPE Range</i>	<i>Queen's Counsel Fee</i>	<i>Leading Junior Counsel Fee</i>	<i>Led Junior Counsel Fee</i>	<i>Sole Junior Counsel Fee</i>
Class A	1 – 750	£4,500	£3,375	£2,250	£2,925
Class A	751 – 3,000	£8,400	£6,300	£4,200	£5,460
Class A	3,001 +	£18,900	£14,175	£9,450	£12,285
Class B	1 – 687	£2,400	£1,800	£1,200	£1,560
Class B	688 – 1,462	£8,400	£6,300	£4,200	£5,460
Class B	1,463 +	£18,900	£14,175	£9,450	£12,285
Class C	1 – 714	£2,100	£1,575	£1,050	£1,365
Class C	715 – 1,262	£8,400	£6,300	£4,200	£5,460
Class C	1,263 +	£18,900	£14,175	£9,450	£12,285
Class D	1 – 733	£3,000	£2,250	£1,500	£1,950
Class D	734 – 1,631	£8,400	£6,300	£4,200	£5,460
Class D	1,632 +	£18,900	£14,175	£9,450	£12,285
Class E	1 – 750	£2,100	£1,575	£1,050	£1,365
Class E	751 – 1,636	£8,400	£6,300	£4,200	£5,460
Class E	1,637 +	£18,900	£14,175	£9,450	£12,285
Class F	1 – 677	£2,100	£1,575	£1,050	£1,365
Class F	678 – 1,225	£8,400	£6,300	£4,200	£5,460
Class F	1,226 +	£18,900	£14,175	£9,450	£12,285
Class G	1 – 750	£3,000	£2,250	£1,500	£1,950
Class G	751 – 1,750	£8,400	£6,300	£4,200	£5,460
Class G	1,751+	£18,900	£14,175	£9,450	£12,285
Class H	1 – 750	£2,100	£1,575	£1,050	£1,365
Class H	751 – 1,443	£8,400	£6,300	£4,200	£5,460
Class H	1,444 +	£18,900	£14,175	£9,450	£12,285
Class I	1 – 870	£2,100	£1,575	£1,050	£1,365
Class I	871 – 1,606	£8,400	£6,300	£4,200	£5,460
Class I	1,607 +	£18,900	£14,175	£9,450	£12,285”

(f) under the heading “PART 4”, for the words “FIXED AND TIME-BASED FEES” substitute “ADDITIONAL FEES”;

(g) omit paragraph 10;

(h) under the heading ‘Additional Fees’, insert—

“**10A.** Where the PPE Range exceeds 750, the fee set out in the Table following paragraph 19 as appropriate to the number of pages shall be payable to the solicitor.”;

(i) after paragraph 15, insert—

“**15A.**—(1) This paragraph applies where, prior to the sentencing hearing, the trial judge directs counsel to lodge a skeleton argument on the relevant sentencing authorities.

(2) The fixed fee set out in the Table following paragraph 19 as appropriate to the category of counsel instructed shall be payable to the counsel who drafted the skeleton argument.”;

(j) after paragraph 18, insert—

“**18A.**—(1) This paragraph applies where the assisted person was a child who was the subject of a court-ordered youth conference.

(2) Subject to sub-paragraphs (3) and (4), the standard fee for a representative representing that assisted person shall be the amount set out in the Table following paragraph 19 as appropriate to the representative and the duration of the youth conference.

(3) The Commission shall allow the standard fee claimed by the representative 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 shall be allowed of £44.75 per hour to a solicitor and £29.25 per hour to counsel.

(4) Fees shall be paid in respect of the period of time beginning 15 minutes before the case was listed on 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.

**18B.**—(1) This paragraph applies where counsel, having provided an opinion in the matter under Article 29(4)(b) of the Order, drafted a skeleton argument in support of an application for leave to appeal to the Court of Appeal.

(2) The fixed fee set out in the Table following paragraph 19 as appropriate to the category of counsel instructed shall be payable to the counsel who drafted the skeleton argument.”;

(k) for paragraph 19(2), substitute—

“(2) Where a solicitor attended court without counsel and claimed an enhancement of his costs under rule 4A, the solicitor shall be allowed one travelling allowance only in respect of that attendance.”.

(l) following paragraph 19, for the Tables of Fixed and Time-based Fees, substitute the following Tables—

**“TABLES OF ADDITIONAL FEES  
SOLICITOR**

<i>Type of work</i>	<i>Paragraph providing for fee</i>	<i>Fee</i>
PPE Enhanced Fee		
PPE Range		
751 – 1,000 pages		£1,150
1,001 – 1,250 pages		£2,300
1,251 – 1,500 pages		£3,450
1,501 – 1,750 pages	10A	£4,600
1,751 – 2,000 pages		£5,750
2,001 – 2,250 pages		£6,900
2,251 – 2,500 pages		£8,050
2,501 + pages		An additional £1,150 per additional 250 pages
Arraignment – Not Guilty	11	£90
Standby Fee	12(1)	£375
Appearing at deferred sentencing hearing	15(1)(a)	£188
Appearing at other sentencing hearing	15(1)(b)	£100
Late sitting fee	17	£188
Cases within paragraph 2	19	£563
Application Fee 1 (hearing not exceeding 1.5 hours)		£113
Application Fee 2 (hearing exceeding 1.5 hours but not exceeding 3 hours)	12(2), 13, 14 and 16	£188
Application Fee 3 (hearing exceeding 3 hours)		£375
Court-ordered youth conference		
Lower standard fee (conferences lasting up to and including 1 hour)	18A	£70
Principal standard fee (conferences lasting more than 1 hour but not exceeding 2 hours)		£112.50

**COUNSEL**

<i>Type of work</i>	<i>Paragraph providing for fee</i>	<i>Queen's Counsel Fee</i>	<i>Leading Junior Counsel Fee</i>	<i>Led Junior Counsel Fee</i>	<i>Sole Junior Counsel Fee</i>
Arraignment – Not Guilty	11	£120	£113	£75	£98
Standby Fee	12(1)	£400	£300	£200	£260
Appearing at deferred sentencing hearing	15(1)(a)	£320	£240	£160	£208
Appearing at other sentencing hearing	15(1)(b)	£240	£180	£120	£156
Skeleton argument	15A and 18B	£250	£188	£125	£163
Late sitting fee	17	£200	£150	£100	£130
Cases within paragraph 2	19	£600	£450	£300	£390
Application Fee 1 (hearing not exceeding 1.5 hours)		£100	£94	£63	£82
Application Fee 2 (hearing exceeding 1.5 hours but not exceeding 3 hours)	12(2), 13, 14 and 16	£200	£150	£100	£130
Application Fee 3 (hearing exceeding 3 hours)		£400	£300	£200	£260
Consultations /views	18(1)	£63 per hour	£47 per hour	£31 per hour	£41 per hour
Listening to or viewing tapes etc.	18(2)	£27 per 10 minutes	£20 per 10 minutes	£14 per 10 minutes	£18 per 10 minutes
Court-ordered youth conference Lower standard fee (conferences lasting up to and including 1 hour)	18A	N/A	N/A	N/A	£70



Principal standard fee (conferences lasting more than 1 hour but not exceeding 2 hours)	N/A	N/A	N/A	£112.50”
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(m) for paragraph 21, substitute—

“**21.**—(1) Subject to sub-paragraphs (2), (4) and (5), the fee payable to a solicitor in accordance with paragraph 6 or 8 of this Schedule, as applicable, shall be in addition to any enhancement of his costs under rule 4A.

(2) Where the same solicitor prepared the case and conducted the trial or hearing without counsel, the enhancement of his costs shall be reduced by ten per cent.

(3) If the solicitor satisfies the Commission that there was a clearly maintained division of responsibility in the conduct of the case, no reduction in the enhancement of his costs shall be made under sub-paragraph (2).

(4) Where a solicitor attended court without counsel and claimed an enhancement of his costs under rule 4A—

(a) on a day in respect of which a Refresher Fee would otherwise be payable under paragraph 6, or

(b) for a hearing in respect of which a fee would otherwise be payable under Part 4,

the solicitor shall be allowed one fee only in respect of that day or hearing, as applicable.

(5) Where a solicitor attended court, a prison visit, other consultation or view without counsel, the solicitor shall be allowed one travelling allowance only under paragraphs 29 and 30 in respect of each such attendance.”.

19. Omit Schedule 2.

20. For Schedule 3, substitute—

### “SCHEDULE 3 TABLE OF OFFENCES

<i>Offence</i>	<i>Contrary to</i>	<i>Year and chapter</i>
<b>Class A – Homicide and related grave offences</b>		
Murder	Common law	
Manslaughter	Common law	
Soliciting to murder	Offences against the Person Act 1861 s. 4	1861 c. 100
Child destruction	Criminal Justice Act (Northern Ireland) 1945 s. 25(1)	1945 c. 15
Infanticide	Infanticide Act (Northern Ireland) 1939 s. 1(1)	1939 c. 5
Causing explosion likely to endanger life or property	Explosive Substances Act 1883 s. 2	1883 c. 3

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Attempt to cause explosion, making or keeping explosive etc.	Explosive Substances Act 1883 s. 3	as above
<b>Class B – Offences involving serious violence or damage, and serious drugs offences</b>		
Kidnapping	Common law	
False imprisonment	Common law	
Aggravated criminal damage	Criminal Damage (Northern Ireland) Order 1977 Art. 3(2)	1977 N.I. 4
Aggravated arson	Criminal Damage (Northern Ireland) Order 1977 Art. 3(2) and (3)	as above
Arson (where value exceeds £30,000)	Criminal Damage (Northern Ireland) Order 1977 Art. 3(3)	as above
Possession of firearm with intent to endanger life	Firearms (Northern Ireland) Order 2004 Art. 58	2004 N.I. 3
Use of firearm to resist arrest	Firearms (Northern Ireland) Order 2004 Art. 59(1)	as above
Possession of firearm with criminal intent	Firearms (Northern Ireland) Order 2004 Art. 60(1)	as above
Possession or acquisition of certain prohibited weapons etc.	Firearms (Northern Ireland) Order 2004 Art. 45(1) and (2)	as above
Aggravated burglary	Theft Act (Northern Ireland) 1969 s. 10	1969 c. 16
Armed robbery	Theft Act (Northern Ireland) 1969 s. 8(1)	as above
Assault with weapon with intent to rob	Theft Act (Northern Ireland) 1969 s. 8(2)	as above
Blackmail	Theft Act (Northern Ireland) 1969 s. 20	as above
Riot	Common law	
Contamination of goods with intent	Public Order Act 1986 s. 38	1986 c. 64
Causing death by dangerous driving	Road Traffic (Northern Ireland) Order 1995 Art. 9	1995 N.I. 18
Causing death by careless driving while under the influence of drink or drugs	Road Traffic (Northern Ireland) Order 1995 Art. 14	as above
Aggravated vehicle taking resulting in death	Road Traffic (Northern Ireland) Order 1981 Art. 172B	1981 N.I. 1
Causing danger to road users	Road Traffic (Northern Ireland) Order 1995 Art. 53	1995 N.I. 18
Attempting to choke, suffocate, strangle etc.	Offences against the Person Act 1861 s. 21	1861 c. 100
Causing miscarriage by poison, instrument	Offences against the Person Act 1861 s. 58	as above
Making threats to kill	Offences against the Person Act 1861 s. 16	as above
Wounding or grievous bodily harm with intent to cause grievous bodily harm etc.	Offences against the Person Act 1861 s. 18	as above
Endangering the safety of railway passengers	Offences against the Person Act 1861 ss. 32-34	as above

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Impeding persons endeavouring to escape wrecks	Offences against the Person Act 1861 s. 17	as above
Administering chloroform, laudanum etc.	Offences against the Person Act 1861 s. 22	as above
Administering poison etc. so as to endanger life	Offences against the Person Act 1861 s. 23	as above
Cruelty to persons under 16	Children and Young Persons Act (Northern Ireland) 1968 s. 20	1968 c. 34
Aiding and abetting suicide	Criminal Justice Act (Northern Ireland) 1966 s. 13	1966 c. 20
Placing wood etc. on railway	Malicious Damage Act 1861 s. 35	1861 c. 97
Acquiring, possessing etc. the proceeds of criminal conduct	Proceeds of Crime Act 2002 s. 329	2002 c. 29
Producing or supplying a Class A or B drug	Misuse of Drugs Act 1971 s. 4	1971 c. 38
Possession of a Class A or B drug with intent to supply	Misuse of Drugs Act 1971 s. 5(3)	as above
Manufacture and supply of scheduled substances	Criminal Justice (International Co-operation) Act 1990 s. 12	1990 c. 5
Fraudulent evasion of controls on Class A and B drugs	Customs and Excise Management Act 1979 s. 170(2)(b) and (c)	1979 c. 2
Illegal importation of Class A and B drugs	Customs and Excise Management Act 1979 s. 50	as above
Offences in relation to money laundering investigations	Proceeds of Crime Act 2002 ss. 327-333	2002 c. 29
Practitioner contravening drug supply regulations	Misuse of Drugs Act 1971 ss. 12 and 13	1971 c. 38
Cultivation of cannabis plant	Misuse of Drugs Act 1971 s. 6	as above
Occupier knowingly permitting drugs offences etc.	Misuse of Drugs Act 1971 s. 8	as above
Activities relating to opium	Misuse of Drugs Act 1971 s. 9	as above
Drug trafficking offences at sea	Criminal Justice (International Co-operation) Act 1990 s. 18	1990 c. 5
Firing on Revenue vessel	Customs and Excise Management Act 1979 s. 85(2)	1979 c. 2
Making or possession of explosive in suspicious circumstances	Explosive Substances Act 1883 s. 4(1)	1883 c. 3
Causing bodily injury by explosives	Offences against the Person Act 1861 s. 28	1861 c. 100
Using explosive or corrosives with intent to cause grievous bodily harm	Offences against the Person Act 1861 s. 29	as above
Hostage taking	Taking of Hostages Act 1982 s. 1	1982 c. 28
Money laundering in relation to terrorist activities	Terrorism Act 2000 s. 18	2000 c. 11
Offences against international protection of nuclear material	Nuclear Material (Offences) Act 1983 s. 2	1983 c. 18

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Placing explosives with intent to cause bodily injury	Offences against the Person Act 1861 s. 30	1861 c. 100
Membership of proscribed organisations	Terrorism Act 2000 s. 11	2000 c. 11
Support or meeting of proscribed organisations	Terrorism Act 2000 s. 12	as above
Uniform of proscribed organisations	Terrorism Act 2000 s. 13	as above
Fund-raising for terrorism	Terrorism Act 2000 s. 15	as above
Other offences involving money or property to be used for terrorism	Terrorism Act 2000 ss. 16-18	as above
Disclosure prejudicing, or interference of material relevant to, investigation of terrorism	Terrorism Act 2000 s. 39	as above
Weapons training	Terrorism Act 2000 s. 54	as above
Directing terrorist organisation	Terrorism Act 2000 s. 56	as above
Possession of articles for terrorist purposes	Terrorism Act 2000 s. 57	as above
Unlawful collection of information for terrorist purposes	Terrorism Act 2000 s. 58	as above
Incitement of terrorism overseas	Terrorism Act 2000 s. 60	as above
Endangering the safety of an aircraft	Aviation Security Act 1982 s. 2(1)(b)	1982 c. 36
Racially-aggravated arson (not endangering life)	Criminal Damage (Northern Ireland) Order 1977 Art. 3(3), as amended by Criminal Justice (No. 2) (Northern Ireland) Order 2004	1977 N.I. 4 2004 N.I. 15
<b>Class C – Lesser offences involving violence or damage, and less serious drugs offences</b>		
Robbery (other than armed robbery)	Theft Act (Northern Ireland) 1969 s. 8	1969 c. 16
Unlawful wounding	Offences against the Person Act 1861 s. 20	1861 c. 100
Assault occasioning actual bodily harm	Offences against the Person Act 1861 s. 47	as above
Concealment of birth	Offences against the Person Act 1861 s. 60	as above
Abandonment of children under two	Offences against the Person Act 1861 s. 27	as above
Arson (other than aggravated arson) where value does not exceed £30,000	Criminal Damage (Northern Ireland) Order 1977 Art. 3(3)	1977 N.I. 4
Criminal damage (other than aggravated criminal damage)	Criminal Damage (Northern Ireland) Order 1977 Art. 3(1)	as above
Carrying firearm and ammunition in public place	Firearms (Northern Ireland) Order 2004 Art. 61	2004 N.I. 3
Trespassing with a firearm	Firearms (Northern Ireland) Order 2004 Art. 62	as above

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Shortening of shotgun or converting imitation firearm into firearm	Firearms (Northern Ireland) Order 2004 Art. 67(1) and (3)	as above
Possession or acquisition of shotgun without certificate	Firearms (Northern Ireland) Order 2004 Art. 3	as above
Possession of firearms by person convicted of crime	Firearms (Northern Ireland) Order 2004 Art. 63(6)	as above
Prohibition of possession, etc. of firearm by certain persons	Firearms (Northern Ireland) Order 2004 Art. 63	as above
Manufacture, dealing in firearms	Firearms (Northern Ireland) Order 2004 Art. 45(1) and (2)	as above
Failure to comply with conditions of authority regarding prohibited weapons	Firearms (Northern Ireland) Order 2004 Art. 45(6)	as above
Permitting an escape (by person failing to perform any legal or official duty)	Common law Prison Act (Northern Ireland) 1953 s. 31	1953 c. 18
Rescue	Common law Prison Act (Northern Ireland) 1953 s. 29	as above
Escaping from lawful custody without force	Common law Prison Act (Northern Ireland) 1953 s. 26	as above
Breach of prison	Common law Prison Act (Northern Ireland) 1953 s. 28	as above
Assisting prisoners to escape	Prison Act (Northern Ireland) 1953 s. 30	as above
Fraudulent evasion of agricultural levy	Customs and Excise Management Act 1979 s. 68A	1979 c. 2
Offender armed or disguised	Customs and Excise Management Act 1979 s. 86	as above
Making threats to destroy or damage property	Criminal Damage (Northern Ireland) Order 1977 Art. 4	1977 N.I. 4
Possessing anything with intent to destroy or damage property	Criminal Damage (Northern Ireland) Order 1977 Art. 5	as above
Child abduction by connected person	Child Abduction (Northern Ireland) Order 1985 Art. 3	1985 N.I. 17
Child abduction by other person	Child Abduction (Northern Ireland) Order 1985 Art. 4	as above
Bomb hoax	Criminal Law (Amendment) (Northern Ireland) Order 1977 Art. 3	1977 N.I. 16
Producing or supplying Class C drug	Misuse of Drugs Act 1971 s. 4	1971 c. 38
Possession of a Class C drug with intent to supply	Misuse of Drugs Act 1971 s. 5(3)	as above
Fraudulent evasion of controls on Class C drugs	Customs and Excise Management Act 1979 s. 170(2)(b) and (c)	1979 c. 2

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Illegal importation of Class C drugs	Customs and Excise Management Act 1979 s. 50	as above
Possession of Class A drug	Misuse of Drugs Act 1971 s. 5(2)	1971 c. 38
Failure to disclose knowledge or suspicion of money laundering	Proceeds of Crime Act 2002 ss. 330-332	2002 c. 29
Tipping-off in relation to money laundering investigations	Proceeds of Crime Act 2002 s. 333	as above
Assaults on officers saving wrecks	Offences against the Person Act 1861 s. 37	1861 c. 100
Attempting to injure or alarm the Sovereign	Treason Act 1842 s. 2	1842 c. 51
Assisting illegal entry or harbouring persons	Immigration Act 1971 s. 25	1971 c. 77
Administering poison with intent to injure etc.	Offences against the Person Act 1861 s. 24	1861 c. 100
Neglecting to provide food for assaulting servants etc.	Offences against the Person Act 1861 s. 26	as above
Setting spring guns with intent to inflict grievous bodily harm	Offences against the Person Act 1861 s. 31	as above
Supplying instrument etc. to cause miscarriage	Offences against the Person Act 1861 s. 59	as above
Failure to disclose information about terrorism	Terrorism Act 2000 s. 19	2000 c. 11
Circumcision of females	Female Genital Mutilation Act 2003 s. 1	2003 c. 38
Breaking or injuring submarine telegraph cables	Submarine Telegraph Act 1885 s. 3	1885 c. 49
Failing to keep dogs under proper control resulting in injury	Dogs (Northern Ireland) Order 1983 Art. 29(1A) and (1B)	1983 N.I. 8
Making gunpowder etc. to commit offences	Offences against the Person Act 1861 s. 64	1861 c. 100
Stirring up racial hatred	Public Order (Northern Ireland) Order 1987 Arts. 8-13	1987 N.I. 7
Racially-aggravated assault	Offences Against the Person Act 1861 s. 47, as amended by the Criminal Justice (No. 2) (Northern Ireland) Order 2004	1861 c. 100 2004 N.I. 15
Racially-aggravated criminal damage	Criminal Damage (Northern Ireland) Order 1977 Arts. 3 and 6(2), as amended by the Criminal Justice (No. 2) (Northern Ireland) Order 2004	1977 N.I. 4 2004 N.I. 15
<b>Class D – Serious sexual offences, offences against children</b>		
Trafficking into the UK for sexual exploitation	Sexual Offences Act 2003 s. 57	2003 c. 42
Trafficking within the UK for sexual exploitation	Sexual Offences Act 2003 s. 58	as above

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Trafficking out of the UK for sexual exploitation	Sexual Offences Act 2003 s. 59	as above
Rape	Sexual Offences (Northern Ireland) Order 2008 Art. 5	2008 N.I. 2
Assault by penetration	Sexual Offences (Northern Ireland) Order 2008 Art. 6	as above
Sexual assault	Sexual Offences (Northern Ireland) Order 2008 Art. 7	as above
Causing a person to engage in sexual activity without consent	Sexual Offences (Northern Ireland) Order 2008 Art. 8	as above
Rape of a child under 13	Sexual Offences (Northern Ireland) Order 2008 Art. 12	as above
Assault of a child under 13 by penetration	Sexual Offences (Northern Ireland) Order 2008 Art. 13	as above
Sexual assault of a child under 13	Sexual Offences (Northern Ireland) Order 2008 Art. 14	as above
Causing or inciting a child under 13 to engage in sexual activity	Sexual Offences (Northern Ireland) Order 2008 Art. 15	as above
Sexual activity with a child	Sexual Offences (Northern Ireland) Order 2008 Arts. 16 and 20	as above
Causing or inciting a child to engage in sexual activity	Sexual Offences (Northern Ireland) Order 2008 Arts. 17 and 20	as above
Engaging in sexual activity in the presence of a child	Sexual Offences (Northern Ireland) Order 2008 Arts. 18 and 20	as above
Causing a child to watch a sexual act	Sexual Offences (Northern Ireland) Order 2008 Arts. 19 and 20	as above
Arranging or facilitating commission of a sexual offence against a child	Sexual Offences (Northern Ireland) Order 2008 Art. 21	as above
Meeting a child following sexual grooming, etc	Sexual Offences (Northern Ireland) Order 2008 Art. 22	as above
Abuse of position of trust: Sexual activity with a child	Sexual Offences (Northern Ireland) Order 2008 Art. 23	as above
Abuse of position of trust: Causing or inciting a child to engage in sexual activity	Sexual Offences (Northern Ireland) Order 2008 Art. 24	as above
Abuse of position of trust: Sexual activity in the presence of a child	Sexual Offences (Northern Ireland) Order 2008 Art. 25	as above
Abuse of position of trust: Causing a child to watch a sexual act	Sexual Offences (Northern Ireland) Order 2008 Art. 26	as above
Sexual activity with a child family member	Sexual Offences (Northern Ireland) Order 2008 Art. 32	as above
Inciting a child family member to engage in sexual activity	Sexual Offences (Northern Ireland) Order 2008 Art. 33	as above

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Paying for sexual services of a child	Sexual Offences (Northern Ireland) Order 2008 Art. 37	as above
Causing or inciting child prostitution or pornography	Sexual Offences (Northern Ireland) Order 2008 Art. 38	as above
Controlling a child prostitute or a child involved in pornography	Sexual Offences (Northern Ireland) Order 2008 Art. 39	as above
Arranging or facilitating child prostitution or pornography	Sexual Offences (Northern Ireland) Order 2008 Art. 40	as above
Sexual activity with a person with a mental disorder impeding choice	Sexual Offences (Northern Ireland) Order 2008 Art. 43	as above
Causing or inciting a person with a mental disorder impeding choice to engage in sexual activity	Sexual Offences (Northern Ireland) Order 2008 Art. 44	as above
Engaging in sexual activity in the presence of a person with a mental disorder impeding choice	Sexual Offences (Northern Ireland) Order 2008 Art. 45	as above
Causing a person with a mental disorder impeding choice to watch a sexual act	Sexual Offences (Northern Ireland) Order 2008 Art. 46	as above
Inducement, threat or deception to procure sexual activity with a person with a mental disorder	Sexual Offences (Northern Ireland) Order 2008 Art. 47	as above
Causing a person with a mental disorder to engage in, or agree to engage in, sexual activity by inducement, threat or deception	Sexual Offences (Northern Ireland) Order 2008 Art. 48	as above
Engaging in sexual activity in the presence, procured by inducement, threat or deception, of a person with a mental disorder	Sexual Offences (Northern Ireland) Order 2008 Art. 49	as above
Causing a person with a mental disorder to watch a sexual act by inducement, threat or deception	Sexual Offences (Northern Ireland) Order 2008 Art. 50	as above
Care Workers: Sexual activity with a person with a mental disorder	Sexual Offences (Northern Ireland) Order 2008 Art. 51	as above
Care Workers: Causing or inciting sexual activity	Sexual Offences (Northern Ireland) Order 2008 Art. 52	as above
Care Workers: Sexual activity in the presence of a person with a mental disorder	Sexual Offences (Northern Ireland) Order 2008 Art. 53	as above
Care Workers: Causing a person with a mental disorder to watch a sexual act	Sexual Offences (Northern Ireland) Order 2008 Art. 54	as above

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Loitering or soliciting for the purposes of prostitution	Sexual Offences (Northern Ireland) Order 2008 Art. 59	as above
Kerb-crawling	Sexual Offences (Northern Ireland) Order 2008 Art. 60	as above
Persistent soliciting	Sexual Offences (Northern Ireland) Order 2008 Art. 61	as above
Causing or inciting prostitution for gain	Sexual Offences (Northern Ireland) Order 2008 Art. 62	as above
Controlling prostitution for gain	Sexual Offences (Northern Ireland) Order 2008 Art. 63	as above
Keeping a brothel used for prostitution	Sexual Offences (Northern Ireland) Order 2008 Art. 64	as above
Administering a substance with intent to engage in sexual activity	Sexual Offences (Northern Ireland) Order 2008 Art. 65	as above
Committing an offence with intent to commit a sexual offence	Sexual Offences (Northern Ireland) Order 2008 Art. 66	as above
Trespass with intent to commit a sexual offence	Sexual Offences (Northern Ireland) Order 2008 Art. 67	as above
Sex with an adult relative: Penetration	Sexual Offences (Northern Ireland) Order 2008 Art. 68	as above
Sex with an adult relative: Consenting to penetration	Sexual Offences (Northern Ireland) Order 2008 Art. 69	as above
Exposure	Sexual Offences (Northern Ireland) Order 2008 Art. 70	as above
Voyeurism	Sexual Offences (Northern Ireland) Order 2008 Art. 71	as above
Intercourse with an animal	Sexual Offences (Northern Ireland) Order 2008 Art. 73	as above
Sexual penetration of a corpse	Sexual Offences (Northern Ireland) Order 2008 Art. 74	as above
Sexual activity in a public lavatory	Sexual Offences (Northern Ireland) Order 2008 Art. 75	as above
<b>Class E – Burglary etc.</b>		
Burglary	Theft Act (Northern Ireland) 1969 s. 9	1969 c. 16
Going equipped to steal	Theft Act (Northern Ireland) 1969 s. 24	as above
<b>Classes F and G – Other offences of dishonesty</b>		
<i>The following offences are always in Class F</i>		
Destruction of registers of births etc.	Forgery Act 1861 s. 36	1861 c. 98
Making false entries in copies of registers sent to register	Forgery Act 1861 s. 37	as above
<i>The following offences are always in Class G</i>		
Counterfeiting notes and coins	Forgery and Counterfeiting Act 1981 s. 14	1981 c. 45
Passing counterfeit notes and coins	Forgery and Counterfeiting Act 1981 s. 15	as above

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Offences involving custody or control of counterfeit notes and coins	Forgery and Counterfeiting Act 1981 s. 16	as above
Making, custody or control of counterfeiting materials etc.	Forgery and Counterfeiting Act 1981 s. 17	as above
Illegal importation - counterfeit notes or coins	Customs and Excise Management Act 1979 s. 50	1979 c. 2
Fraudulent evasion - counterfeit notes or coins	Customs and Excise Management Act 1979 s. 170(2)(b) and (c)	as above
Undischarged bankrupt being concerned in a company	Company Directors Disqualification (Northern Ireland) Order 2002 Art. 15	2002 N.I. 4
<i>The following offences are in Class G if the value involved exceeds £30,000 and in Class F otherwise</i>		
Theft	Theft Act (Northern Ireland) 1969 s. 1	1969 c. 16
Removal of articles from places open to the public	Theft Act (Northern Ireland) 1969 s. 11	as above
Abstraction of electricity	Theft Act (Northern Ireland) 1969 s. 13	as above
Obtaining property by deception	Theft Act (Northern Ireland) 1969 s. 15	as above
Obtaining money transfer by deception	Theft Act (Northern Ireland) 1969 s. 15A	as above
Obtaining pecuniary advantage by deception	Theft Act (Northern Ireland) 1969 s.16	as above
False accounting	Theft Act (Northern Ireland) 1969 s. 17	as above
Handling stolen goods	Theft Act (Northern Ireland) 1969 s. 21	as above
Obtaining services by deception	Theft (Northern Ireland) Order 1978 Art. 3	1978 N.I. 23
Evasion of liability by deception	Theft (Northern Ireland) Order 1978 Art. 4	as above
Illegal importation - not elsewhere specified	Customs and Excise Management Act 1979 s. 50	1979 c. 2
Counterfeiting Customs documents	Customs and Excise Management Act 1979 s. 168	as above
Fraudulent evasion - not elsewhere specified	Customs and Excise Management Act 1979 s. 170(2)(b) and (c)	as above
Forgery	Forgery and Counterfeiting Act 1981 s. 1	1981 c. 45
Copying false instrument with intent	Forgery and Counterfeiting Act 1981 s. 2	as above
Using a false instrument	Forgery and Counterfeiting Act 1981 s. 3	as above
Using a copy of a false instrument	Forgery and Counterfeiting Act 1981 s. 4	as above

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Custody or control of false instruments etc.	Forgery and Counterfeiting Act 1981 s. 5	as above
Offences in relation to dies or stamps	Stamp Duties Management Act 1891 s. 13	1891 c. 38
Counterfeiting of dies or marks	Hallmarking Act 1973 s. 6	1973 c. 43
Unauthorised use of trade mark, &c. in relation to goods	Trade Marks Act 1994 s. 92(1)(c)	1994 c. 26
VAT offences	Value Added Tax Act 1994 s. 72(1)-(8)	1994 c. 23
Fraudulent evasion of duty	Customs and Excise Management Act 1979 s. 170(1)(b)	1979 c. 2
<b>Class H – Miscellaneous lesser offences</b>		
Possession of offensive weapon	Public Order (Northern Ireland) Order 1987 Art. 22(1)	1987 N.I. 7
Affray	Common law	
Assault with intent to resist arrest	Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 s. 7(1)(b)	1968 c. 28
Unlawful eviction and harassment of occupier	Rent (Northern Ireland) Order 1978 Art. 54	1978 N.I. 20
Publishing, exhibiting, selling an indecent or obscene thing	Common law	
Buggery of males of 17 or over otherwise than in private	Criminal Justice (Northern Ireland) Order 2003 Art. 20	2003 N.I. 13
Open and notorious lewdness	Common law	
Publicly exposing the naked person	Common law	
Offences of publication of obscene matter	Common law	
Keeping a disorderly house	Common law	
Procurement of intercourse by threats etc.	Criminal Law Amendment Act 1885 s. 3	1885 c. 69
Causing or inciting prostitution for gain	Sexual Offences Act 2003 s. 52	2003 c. 42
Detention of woman in brothel or other premises	Criminal Law Amendment Act 1885 s. 8	1885 c. 69
Procurement of a woman by false pretences	Criminal Law Amendment Act 1885 s. 3(2)	as above
Trade descriptions offences (9 offences)	Trade Descriptions Act 1968 ss. 1, 8, 9, 12, 13, 14 and 18	1968 c. 29
Misconduct endangering ship or persons on board ship	Merchant Shipping Act 1995 s. 58	1995 c. 21
Obstructing engine or carriage on railway	Malicious Damage Act 1861 s. 36	1861 c. 97
Offences relating to the safe custody of controlled drugs	Misuse of Drugs Act 1971 s. 11	1971 c. 38
Possession of Class B or C drug	Misuse of Drugs Act 1971 s. 5(2)	as above

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Wanton or furious driving	Offences against the Person Act 1861 s. 35	1861 c. 100
Dangerous driving	Road Traffic (Northern Ireland) Order 1995 Art. 10	1995 N.I. 18
Forgery and misuse of driving documents	Road Traffic (Northern Ireland) Order 1981 Art. 174(2)	1981 N.I. 1
Mishandling or falsifying parking documents etc.	Road Traffic Regulation (Northern Ireland) Order 1997 Art. 23	1997 N.I. 2
Aggravated vehicle taking	Road Traffic (Northern Ireland) Order 1981 Art. 172A	1981 N.I. 1
Forgery, alternation, fraud of licences etc.	Vehicle Excise and Registration Act 1994 ss. 44 and 45	1994 c. 22
Making off without payment	Theft (Northern Ireland) Order 1978 Art. 5	1978 N.I. 23
Agreeing to indemnify sureties	Common law	
Sending prohibited articles by post	Postal Services Act 2000 s. 85	2000 c. 26
Impersonating Customs officer	Customs and Excise Management Act 1979 s. 13	1979 c. 2
Obstructing Customs officer	Customs and Excise Management Act 1979 s. 16	as above
Breach of anti-social behaviour order	Anti-social Behaviour (Northern Ireland) Order 2004 Art. 7	2004 N.I. 12
Breach of sex offender order	Sexual Offences Act 2003 s. 113	2003 c. 42
Racially-aggravated harassment/putting another in fear of violence	Protection from Harassment (Northern Ireland) Order 1997 Arts. 3 and 6, as amended by Criminal Justice (No. 2) (Northern Ireland) Order 2004	1997 N.I. 9 2004 N.I. 15
Having an article with a blade or point in a public place	Criminal Justice Act 1988 s. 139	1988 c. 33
Breach of harassment injunction	Protection from Harassment (Northern Ireland) Order 1997 Art. 5(6)	1997 N.I. 9
Putting people in fear of violence	Protection from Harassment (Northern Ireland) Order 1997 Art. 6(1)	as above
Breach of restraining order	Protection from Harassment (Northern Ireland) Order 1997 Art. 7	as above
Being drunk when in aircraft	Air Navigation (No. 2) Order 1995 Art. 57	1995 No. 1970

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**Class I – Offences against public justice and similar offences**

Perverting the course of public justice	Common law	
Perjuries (7 offences)	Perjury (Northern Ireland) Order 1979 Arts. 3-12	1979 N.I. 19
Corrupt transactions with agents	Prevention of Corruption Act 1906 s.1	1906 c. 34
Corruption in public office	Public Bodies Corrupt Practices Act 1889 s.1	1889 c. 69
Embracery	Common law	
Fabrication of evidence with intent to mislead a tribunal	Common law	
Personation of jurors	Common law	
Concealing an arrestable offence	Criminal Law Act (Northern Ireland) 1967 s. 5	1967 c. 18
Assisting offenders	Criminal Law Act (Northern Ireland) 1967 s. 4(1)	as above
False evidence before European Court	European Communities Act 1972 s. 11	1972 c. 68
Personating for purposes of bail etc.	Forgery Act 1861 s. 34	1861 c. 60
Intimidating a witness, juror etc.	Criminal Justice (Northern Ireland) Order 1996 Art. 47(1)	1996 N.I. 24
Harming, threatening to harm a witness, juror etc.	Criminal Justice (Northern Ireland) Order 1996 Art. 47(2)	as above
Offences of prejudicing investigation	Proceeds of Crime Act 2002 s. 342	2002 c. 29
False statement tendered under section 1 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968	Perjury (Northern Ireland) Order 1979 Art. 4	1979 N.I. 19
Statement tendered under Article 33 of the Magistrates' Courts (Northern Ireland) Order 1981	Perjury (Northern Ireland) Order 1979 Art. 4(1)(b)	as above
Making false statement to authorised officer	Trade Descriptions Act 1968 s. 29(2)	1968 c. 29
Conspiring to commit offences outside the United Kingdom	Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 Art. 9A	1983 N.I. 13"

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**21.** The Legal Aid for Youth Conferences (Costs) Rules (Northern Ireland) 2003(a) are revoked.

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(a) S.R. 2003 No. 512

Sealed with the Official Seal of the Department of Justice on 23rd March 2011

(L.S.)

*David Ford*  
Minister of Justice

The Department of Finance and Personnel hereby approves the foregoing Rules

Sealed with the Official Seal of the Department of Finance and Personnel on 23rd March 2011

(L.S.)

*W.A.N. Arbuthnot*  
A senior officer of the Department of Finance and Personnel

## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005, which prescribe the Crown Court remuneration for solicitors and counsel assigned under Articles 29 or 36(2) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.

The Rules—

- re-set the basis for remunerating solicitors who exercise their right of audience to conduct a case in the Crown Court without counsel (rules 5, 6(a), 7(b) and 8);
- revoke the provision made for increased levels of standard fees in exceptional cases (rules 6(b), 9, 10(a), 11 and 12(a));
- revoke the separate provision made for special hourly rates of payment in very high cost cases (rules 6(h), 7(a), 15 and 19);
- extend the range of standard fees to cover all trials lasting up to 80 days in duration (rule 18(b));
- substitute reduced levels of standard fees for guilty pleas, trials and other hearings (rules 18(b), (e) and (l));
- introduce new fixed fees for certain skeleton arguments (rule 18(i) and (j));
- make a consolidating provision for the payment of standard fees in respect of court-ordered youth conferences (rules 18(j) and 21);
- expand the relevant entries in the Table of Offences in respect of Class D offences to reflect the changes made by way of the Sexual Offences (Northern Ireland) Order 2008 (rule 20); and
- make other minor and consequential amendments.

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