

SCHEDULE 2

Article 9

ADVICE AND ASSISTANCE

PART 1

General

1. This Schedule applies to the determination of the remuneration payable to solicitors for providing advice and assistance, including those matters in which the Director has granted an extension under regulation 32 of the General Regulations.

2. Where the remuneration or fees properly chargeable for the advice and assistance including charges for disbursements exceed any contribution payable by the client to the solicitor under Part 3 of the Financial Regulations together with the value of any charge arising under Article 17(7) of the 2003 Order, the solicitor shall submit a claim to the Department requesting payment of the deficiency.

3.—(1) The Department shall determine the claim submitted under Article 8 in accordance with the rates or fees set out in Part 2 or 3 of this Schedule, as applicable, and pay the assessed deficiency, if any, to the solicitor.

(2) In this paragraph “assessed deficiency” means the amount by which the sum allowed to the solicitor by the Department in assessing the claim under sub-paragraph (1) exceeds any contribution payable by the client to the solicitor under Part 3 of the Financial Regulations together with the value of any charge arising under Article 17(7) of the 2003 Order.

[^{F1}(3) In respect of any claims for costs made for work done under Tables 2 and 3 of Part 2 of this Schedule, a solicitor may claim for mileage only at the rate of 35.7p per mile. No claim shall be entertained for travel and waiting time.

(4) Unless otherwise prescribed by this Schedule, travel and waiting time may be claimed at the rate of £24.25 per hour and mileage may be claimed at the rate of 35.7p per mile for matters falling within this Schedule.]

Textual Amendments

- F1** Sch. 2 Pt. 1 para. 3(3), (4) inserted (1.7.2019) by [The Civil Legal Services \(Remuneration\) \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/119\)](#), arts. 1, **6(1)**

PART 2

[^{F2}Matters other than those relating to PACE, Schedule 7 to the Terrorism Act 2000 or Schedule 3 to the Counter-Terrorism and Border Security Act 2019]

Textual Amendments

- F2** Sch. 2 Pt. 2 title substituted (13.8.2020) by [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), s. 27(2)(d), **Sch. 4 para. 32(1)(a)** (with Sch. 4 para. 32(2)); S.I. 2020/792, reg. 2(i)

Status: Point in time view as at 13/08/2020.

Changes to legislation: There are currently no known outstanding effects for the The Civil Legal Services (Remuneration) Order (Northern Ireland) 2015, SCHEDULE 2. (See end of Document for details)

Table 1:

Solicitor – Hourly Rates

<i>Work Type</i>	<i>Rate</i>
Advice	£43.25 per hour
[^{F3} Letters/Emails/Telephone Calls]	[^{F4} £3.35 per item / call]
F5	F5
...	...
F6	F6
...	...

Textual Amendments

- F3** Words in Sch. 2 substituted (1.7.2019) by [The Civil Legal Services \(Remuneration\) \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/119\)](#), arts. 1, **6(2)**
- F4** Words in Sch. 2 Pt. 2 substituted (1.7.2019) by [The Civil Legal Services \(Remuneration\) \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/119\)](#), arts. 1, **6(3)(a)**
- F5** Words in Sch. 2 Pt. 2 omitted (1.7.2019) by virtue of [The Civil Legal Services \(Remuneration\) \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/119\)](#), arts. 1, **6(3)(b)**
- F6** Words in Sch. 2 Pt. 2 omitted (1.7.2019) by virtue of [The Civil Legal Services \(Remuneration\) \(Amendment\) Order \(Northern Ireland\) 2019 \(S.R. 2019/119\)](#), arts. 1, **6(3)(c)**

Guide to Case Management in Public Law Children Order Proceedings (Article 50)

Table 2:

Solicitor – Composite Fees

<i>Work Type</i>	<i>Composite Fee</i>
Advice given to parent in relation to Letter Before Proceedings (LBP)	£144
Preparation and Attendance with Parent at Pre- Proceedings Meeting (PPM)	£347

All preparation work up to, and including, review of case by a single Parole Commissioner under Criminal Justice (Northern Ireland) Order 2008

^{M1}**Table 3:**

Solicitor – Standard Fees

<i>Work Type – Stage 1</i>	<i>Standard Fee</i>
Prisoner serving a Determinate Custodial Sentence (DCS)	£350

Prisoner serving an Extended Custodial Sentence (ECS)	£500
Prisoner serving an Indeterminate Custodial Sentence (ICS)	£700

Marginal Citations

M1 S.I. 2008/1216 (N.I. 1)

Marginal Citations

M1 S.I. 2008/1216 (N.I. 1)

PART 3

Police and Criminal Evidence (PACE) matters^[F7], Schedule 7 to the Terrorism Act 2000 matters or Schedule 3 to the Counter-Terrorism and Border Security Act 2019 matters]

Textual Amendments

F7 Words in Sch. 2 Pt. 3 title inserted (13.8.2020) by Counter-Terrorism and Border Security Act 2019 (c. 3), s. 27(2)(d), **Sch. 4 para. 32(1)(b)** (with Sch. 4 para. 32(2)); S.I. 2020/792, reg. 2(i)

Table 1:

Solicitor – Hourly Rates

<i>Work Type¹</i>	<i>Rate</i>
Normal Hours	
Advice	£51.90 per hour
[^{F3} Letters/Emails/Telephone Calls]	£4.02 per item
Telephone advice	£23.70 per call
Travel and waiting time	£29.10 per hour
Mileage rate	42.8p per mile
Unsocial Hours ²	
Advice	£69.20 per hour

¹ This work relates to interviews conducted under the Police and Criminal Evidence (Northern Ireland) 1989 – S.I. 1989/1341 (N.I. 12) [^{F8}, Schedule 7 to the Terrorism Act 2000 or Schedule 3 to the Counter-Terrorism and Border Security Act 2019]

² Unsocial hours are defined as between 7.00pm and 9.00am on any weekday, or any time on a Saturday, Sunday or Public Holiday

Status: Point in time view as at 13/08/2020.

Changes to legislation: There are currently no known outstanding effects for the The Civil Legal Services (Remuneration) Order (Northern Ireland) 2015, SCHEDULE 2. (See end of Document for details)

[^{F3} Letters/Emails/Telephone Calls]	£5.36 per item
Telephone advice	£31.60 per call
Travel and waiting time	£38.80 per hour
Mileage rate	42.8p per mile

¹ This work relates to interviews conducted under the Police and Criminal Evidence (Northern Ireland) 1989 – S.I. 1989/1341 (N.I. 12) [^{F8}, Schedule 7 to the Terrorism Act 2000 or Schedule 3 to the Counter-Terrorism and Border Security Act 2019]

² Unsocial hours are defined as between 7.00pm and 9.00am on any weekday, or any time on a Saturday, Sunday or Public Holiday

.....

Textual Amendments

F8 Words in Sch. 2 Pt. 3 Table 1 Note 1 inserted (13.8.2020) by [Counter-Terrorism and Border Security Act 2019 \(c. 3\)](#), s. 27(2)(d), **Sch. 4 para. 32(1)(c)** (with Sch. 4 para. 32(2)); S.I. 2020/792, reg. 2(i)

Status:

Point in time view as at 13/08/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Legal Services (Remuneration) Order (Northern Ireland) 2015, SCHEDULE 2.