
STATUTORY INSTRUMENTS

1992 No. 592

**LEGAL AID AND ADVICE,
ENGLAND AND WALES**

**The Legal Aid in Criminal and Care Proceedings
(Costs) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>9th March 1992</i>
<i>Laid before Parliament</i>		<i>11th March 1992</i>
<i>Coming into force</i>	- -	<i>1st April 1992</i>

The Lord Chancellor, in exercise of the powers conferred on him by sections 34 and 43 of the Legal Aid Act 1988(1), having had regard to the matters specified in section 34(9) and consulted the General Council of the Bar and the Law Society, and with the consent of the Treasury, hereby makes the following Regulations:

1. These Regulations may be cited as the Legal Aid in Criminal and Care Proceedings (Costs) (Amendment) Regulations 1992 and shall come into force on 1st April 1992.
2. In these Regulations a regulation or Schedule referred to by number means a regulation or Schedule so numbered in the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989(2).
3. In regulation 4(2)(b) after the word “work” there shall be inserted the words “actually and”.
4. In regulation 6, in respect of work done on or after 14th October 1991—
 - (a) in paragraph (1) for the words “Subject to paragraph (5), the” there shall be substituted “The”;
 - (b) in paragraph (3) for the words “,(4) and (5)” there shall be substituted “and (4)”.
5. In regulations 6(3) and 9(5)(a) for the date “30th June 1992” there shall be substituted “30th June 1993”.
6. For paragraph 1(1) of Part I of Schedule 1 there shall be substituted, in respect of work done on or after 1st April 1992, the following new sub-paragraph—

(1) 1988 c. 34; section 34 was amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 63. Section 43 is an interpretation provision and is cited because of the meaning assigned to the word “regulations”.

(2) S.I. 1989/343, amended by S.I. 1990/488 and S.I. 1991/529, 838 and 2037.

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“1.—(1) Subject to paragraphs 2 and 3, the appropriate authority shall allow fees for work allowed by it under regulation 6 at the following basic rates—

(a) Magistrates' court proceedings

<i>Class of work</i>	<i>Rate</i>		
Preparation	£43.25	per hour—	(£45.75 per hour for a fee-earner whose office is situated within legal aid area 1)
Advocacy	£54.50	per hour	
Attendance at court where counsel assigned	£29.50	per hour	
Travelling and waiting	£24.25	per hour	
Routine letters written and routine telephone calls	£3.35	per item—	(£3.50 per item for a fee-earner whose office is situated within legal aid area 1)

(b) Crown Court and Court of Appeal

<i>Class of work</i>	<i>Grade for fee-earner</i>	<i>Rate</i>		
Preparation	Senior Solicitor	£51.50	Per hour—	(£54 per hour for a fee-earner whose office is situated within legal aid area 1)
	Solicitor, legal executive or fee-earner of equivalent experience	£43.50	per hour	(£45.75 per hour for a fee-earner whose office is situated within legal aid area 1)
	Articled clerk or fee-earner of equivalent experience	£28.75	per hour	(£33 per hour for a fee-earner whose office is situated within legal aid area 1)
Advocacy	Senior solicitor	£62.50	per hour	
	Solicitor	£54.50	per hour	
Attendance at court where	Senior solicitor	£41.25	per hour	

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<i>Class of work</i>	<i>Grade for fee-earner</i>	<i>Rate</i>	
counsel assigned	Solicitor, legal executive or fee-earner of equivalent experience	£33	per hour
	Articled clerk or fee-earner of equivalent experience	£20	per hour
Travelling and waiting	Senior solicitor	£24.25	per hour
	Solicitor, legal executive or fee-earner of equivalent experience	£24.25	per hour
	Articled clerk or fee-earner of equivalent experience	£12	per hour
Routine letters written and routine telephone calls	£3.35	per hour—	(£3.50 per item for a fee-earner whose office is situated within legal aid area 1)”

7. In Part II of Schedule 1—

- (a) for the table in paragraph 4(3) there shall be substituted, in respect of work done on or after 1st April 1992, the following table—

“TABLE

PREPARATION

<i>Type of proceedings</i>	<i>Lower standard fee</i>	<i>Lower fee limit</i>	<i>Principal standard fee</i>	<i>Upper fee limit</i>
Jury trials (including any case prepared for trial in which no jury was sworn)	£125.50	£173	£242	£302

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<i>Type of proceedings</i>	<i>Lower standard fee</i>	<i>Lower fee limit</i>	<i>Principal standard fee</i>	<i>Upper fee limit</i>
London rate	£135	£180	£254	£316
Guilty pleas	£79	£106	£170	£218
London rate	£85	£110	£180	£228
Appeals against conviction	£49.50	£66	£148.50	£225
London rate	£53	£68	£154.50	£236
Appeals against sentence	£35.25	£50.50	£90.50	£127
London rate	£38	£52.50	£95	£131
Committals for sentence	£41	£49.50	£94.75	£137
London rate	£43.50	£51.50	£100	£141
Advocacy in respect of bail applications	£25.25			
London rate	£27.75			
Attendance at court (including waiting) where counsel assigned	£20.75	per hour		
Travelling	£18	per hour		

- (b) in paragraph 4(10) for the figures “ £28.00” and “ £30.00” there shall be substituted, in respect of work done on or after 1stApril 1992, the figures “ £29.00” and “ £31.00”;
- (c) in paragraph 4(11) for the figure “ £10.15” there shall be substituted, in respect of work done on or after 1stApril 1992, the figure “ £10.45”.

8. In Part I of Schedule 2—

- (a) in paragraph 9 for the figure “ £18” there shall be substituted, in respect of work done on or after 1stApril 1992, the figure “ £18.50”;
- (b) in paragraph 10 for the figure “ £10.15” there shall be substituted, in respect of work done on or after 1stApril 1992, the figure “ £10.45”;
- (c) for the Table there shall be substituted, in respect of work done on or after 1st April 1992, the following Table—

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“TABLE

Type of proceedings	Standard basic fee
Jury trials (including any case prepared for trial in which no jury is sworn)	£214
Guilty pleas	£113
Appeals against conviction	£113
Appeals against sentence	£71
Committals for sentence	£71
Standard appearance fee	£44.75
Standard refresher fee	
(1) Half day	£79
(2) Full day	£153
(3) More than a full day	£230
Standard written work fee	£29”

9. For the tables in Part II of Schedule 2 there shall be substituted, in respect of work done on or after 1st April 1992, the following tables:—

“TABLE 1:

JUNIOR COUNSEL

Court	Type of proceedings	Basic fee	Full day refresher fee	Subsidiary fees		
				Attendance at consultations, conferences & views	Written work	Attendance at pre-trial reviews, applications and other appearances
Magistrates' Court	All cases	Maximum amount: £461	Maximum amount: £159.50	£28.75 per hour Minimum amount: £14.35	Maximum amount £50.50	Maximum amount £92.50
Crown Court	Jury trials	Maximum amount: £537.50				
	Cases prepared for trial in which	Maximum amount: £313				

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<i>Court</i>	<i>Type of proceedings</i>	<i>Basic fee</i>	<i>Full day refresher fee</i>	<i>Subsidiary fees</i>		
				<i>Attendance at consultations, conferences & views</i>	<i>Written work</i>	<i>Attendance at pre-trial reviews, applications and other appearances</i>
	no jury is sworn					
	Guilty pleas	Maximum amount: £189.50		£33 per hour Minimum amount: £16.50	Maximum amount: £57.50	Maximum amount: £98
	Appeals against conviction	Maximum amount: £207	Maximum amount: £176			
	Appeals against sentence	Maximum amount: £106				
	Committal for sentence	Maximum amount: £106				

TABLE 2:**QUEEN'S COUNSEL**

<i>Court</i>	<i>Type of proceedings</i>	<i>Basic fee</i>	<i>Full day refresher fee</i>	<i>Subsidiary fees</i>		
				<i>Attendance at consultations, conferences & views</i>	<i>Written work</i>	<i>Attendance at pre-trial reviews, applications and other appearances</i>
Magistrates' Court	All cases	Maximum amount: £4446	Maximum amount; £297	£54.50 per hour Minimum amount: £28	Maximum amount: £105	Maximum amount: £205
Crown Court	All cases	Maximum amount: £5400	Maximum amount: £330.50	£62.50 per hour Minimum	Maximum amount: £257.50"	

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<i>Court</i>	<i>Type of proceedings</i>	<i>Basic fee</i>	<i>Full day refresher fee</i>	<i>Subsidiary fees</i>		
				<i>Attendance at consultations, conferences & views</i>	<i>Written work</i>	<i>Attendance at pre-trial reviews, applications and other appearances</i>
				amount:		
				£32		

Dated 6th March 1992

Mackay of Clashfern, C.

We consent,

Dated 9th March 1992

Gregory Knight
Irvine Patnick
Two of the Lords Commissioners of Her Majesty's Treasury

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989 by increasing the rates of remuneration for legal aid work in criminal proceedings done on or after 1st April 1992. There is an overall increase of 3 per cent.

Regulation 4 is also amended so that allowance is made only in respect of work which is actually as well as reasonably done. The amendments to regulation 6 to remove reference to a paragraph which was omitted by an earlier amending instrument (S.I. [1991/2037](#)).