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STATUTORY INSTRUMENTS

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**1995 No. 950**

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

**The Legal Advice and Assistance at Police Stations  
(Remuneration) (Amendment) Regulations 1995**

<i>Made</i>	- - - -	<i>30th March 1995</i>
<i>Laid before Parliament</i>		<i>31st March 1995</i>
<i>Coming into force</i>	- -	<i>24th April 1995</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 having consulted the General Council of the Bar and the Law Society and with the consent of the Treasury, hereby makes the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Legal Advice and Assistance at Police Stations (Remuneration) (Amendment) Regulations 1995 and shall come into force on 24th April 1995.

**Transitional provisions**

2. These Regulations shall apply for the purposes of work done on or after 24th April 1995 to which the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989(2) apply.

**Amendments to the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989**

3. The Schedule to these Regulations shall be substituted for the Schedule to the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989.

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(1) 1988 c. 34; sections 34 and 43 were amended by the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraphs 60 and 63. Section 43 is an interpretation provision and is cited because of the meaning given to “regulations”.

(2) S.I.1989/342, as amended by S.I. 1990/487, 1991/527, 1992/594 and 1994/1824.

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Dated 29th March 1995

*Mackay of Clashfern, C.*

We consent

Dated 30th March 1995

*Timothy Wood*  
*Timothy Kirkhope*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## SCHEDULE

Regulation 3

## “SCHEDULE

Regulation 5

1.—(1) The Board shall, subject to paragraphs 2 and 3, allow fees for work allowed by it under regulation 5 at the following rates:

Class of work	Rate	
(a) availability during duty period	£3.60 per hour served, to a maximum of £86.40	— (£3.65 per hour served to a maximum of £87.60 in respect of a solicitor whose office is situated within legal aid area 1)
(b) advice and assistance to a person arrested and held in custody, or being interviewed in connection with a serious service offence or to a volunteer, given		
(i) by a duty solicitor in unsocial hours	£58.75 per hour	
(ii) by a duty solicitor in all other hours	£44.50 per hour	— (£47.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£44.50 per hour	— (£47.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(c) travelling and waiting		
(i) by a duty solicitor in unsocial hours	£58.75 per hour	
(ii) by a duty solicitor in all other hours	£44.50 per hour	— (£47.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£24.75 per hour	
(d) advising and assisting over the telephone	£20.25 per item	— (£21.00 per item in respect of a solicitor whose office is situated within legal aid area 1)
(e) routine telephone calls	£3.40 per item	— (£3.55 per item in respect of a solicitor whose office is situated within legal aid area 1)

(2) In paragraphs 1(1) and 3, “legal aid area 1” means the area so numbered by the Board under regulation 4(1) of the Civil Legal Aid (General) Regulations(3).

(3) S.I. 1989/339, as amended by S.I. 1994/1822.

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2. The fee allowed under paragraph 1(1)(a) shall be reduced by the amount of any other fees allowed under that paragraph for work done as a duty solicitor during that duty period to a maximum of one half of the fee allowed under paragraph 1(1)(a).

3. In the case of a franchisee, the Board shall allow fees for work allowed by it under regulation 5 at the following rates:

Class of work	Rate	
(a) availability during duty period	£3.65 per hour served, to a maximum of £87.60	— (£3.70 per hour served to a maximum of £88.80 in respect of a solicitor whose office is situated within legal aid area 1)
(b) advice and assistance to a person arrested and held in custody, or being interviewed in connection with a serious service offence or to a volunteer, given		
(i) by a duty solicitor in unsocial hours	£59.50 per hour	
(ii) by a duty solicitor in all other hours	£45.00 per hour	— (£48.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£45.00 per hour	— (£48.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(c) travelling and waiting		
(i) by a duty solicitor in unsocial hours	£59.50 per hour	
(ii) by a duty solicitor in all other hours	£45.00 per hour	— (£48.50 per hour in respect of a solicitor whose office is situated within legal aid area 1)
(iii) by an own solicitor	£25.00 per hour	
(d) advising and assisting over the telephone	£20.50 per item	— (£21.25 per item in respect of a solicitor whose office is situated within legal aid area 1)
(e) routine telephone calls	£3.45 per item	— (£3.60 per item in respect of a solicitor whose office is situated within legal aid area 1)

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## **EXPLANATORY NOTE**

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

These Regulations amend the Legal Advice and Assistance at Police Stations (Remuneration) Regulations 1989. They increase the rates of remuneration for work done on or after 24th April 1995, and introduce higher rates for franchisees.