

SCHEDULE 15

Regulation 7(3)

Amendments to schedule 1 of the Criminal Legal Aid (Fixed Payments)(Scotland) Regulations 1999

PART 1

	Where professional services are provided in relation to proceedings in the JP Court	Where professional services are provided in relation to proceedings in the sheriff court (other than proceedings in a Court specified in schedule 2)	Where professional services are provided in relation to proceedings in the sheriff court and those proceedings are brought in a Court specified in schedule 2
<b>1.</b> All work up to and including:	£303.85; or	£499.55;	£551.05; or
(i) any diet at which a plea of guilty is made and accepted or plea in mitigation is made;	£278.10 where criminal legal aid has been made available in the circumstances referred to in paragraphs 11 or 12 below	£473.80 where criminal legal aid has been made available in the circumstances referred to in paragraphs 11 or 12 below	£525.30 where criminal legal aid has been made available in the circumstances referred to in paragraphs 11 or 12 below
(ii) the first 30 minutes of conducting a proof in mitigation, or a proof of a victim statement, other than in the circumstances where paragraph 3 below applies;			
(iii) the first 30 minutes of conducting any trial;			
(iiia) a first or second diet of deferred sentence; and			
(iv) advising, giving an opinion and taking final instructions on the prospects of an appeal against conviction, sentence, other disposal or acquittal,			
together with any subsequent or additional work other than that specified in paragraphs 2-13 below.			
<b>2.</b> All work mentioned in paragraph 1 above that is done in connection with a complaint under section 27(1)(b) of	£151.93	£249.78	£249.78

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the 1995 Act <sup>(1)</sup> or paragraph 1(1)(a) or (c) of schedule 1 of the Criminal Justice (Scotland) Act 2016 <sup>(2)</sup> .			
<b>3.</b> All work done in connection with a grant of legal aid under section 23(1)(b) of the Act <sup>(3)</sup> including the first 30 minutes of conducting a proof in mitigation, or a proof of a victim statement.	£25.75	£51.50	£51.50
<b>4.</b> Conducting a trial or proof in mitigation for the first day (after the first 30 minutes).	£51.50	£103.00	£103.00
<b>4A.</b> Conducting an adjourned trial diet, during which no evidence is led, where there was no intention nor anticipation that evidence would be led, the only matter in consideration being the determination of the further procedure of the trial proceedings.	£25.75	£51.50	£51.50
<b>4B.</b> Conducting an adjourned trial diet, during which no evidence is led, where there was an intention and an anticipation that the trial would proceed through the continued leading of evidence.	£51.50	£103.00	£103.00
<b>5.</b> Conducting a trial or proof in mitigation for the second day.	£51.50	£206.00	£206.00
<b>6.</b> Conducting a trial or proof in mitigation for the third and subsequent days (per day).	£103.00	£412.00	£412.00
<b>7.</b> Representation in court at a continued diet following a victim statement having been laid before the court where the court determines sentence or fixes a proof of a victim statement, or adjourns such a proof without hearing evidence.		£51.50	
<b>8.</b> Conducting a proof of a victim statement where there has been no trial or proof in mitigation for the first day (after the first 30 minutes), and thereafter for subsequent days (per day).		£206.00	

(1) The Criminal Procedure (Scotland) Act 1995 (c.46). Defined in regulation 2 of the Criminal (Fixed Payments) (Scotland) Regulations 1999/491.

(2) 2016 asp 1.

(3) The Legal Aid (Scotland) Act 1986 (c.47). Defined in regulation 2 of the Criminal (Fixed Payments) (Scotland) Regulations 1999/491.

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<b>9.</b> Conducting a proof of a victim statement at a continued diet following a concluded trial or proof in mitigation (per day).			£206.00	
<b>10.</b> Representation per appearance—		£25.75	£51.50	£51.50
(a)	in a court which has been designated as a youth court by the sheriff principal;			
(b)	in a court which has been designated as a domestic abuse court by the sheriff principal;			
(c)	at a hearing in respect of a community supervision order			
<b>10ZA.</b> Representation in a court, per appearance, at a deferred sentence hearing other than where a fee is payable by virtue of paragraph 1(iii) in respect of a first or second diet of deferred sentence.		£25.75 where the hearing relates to one complaint; or £38.63 where the hearing relates to more than one complaint	£51.50 where the hearing relates to one complaint; or £77.25 where the hearing relates to more than one complaint	£51.50 where the hearing relates to one complaint; or £77.25 where the hearing relates to more than one complaint
<b>10AA.</b> Representation at a first or second diet of deferred sentence (one only) at which the court considers a report required under section 203 of the 1995 Act and where the case is disposed of (as an additional payment).		£25.75	£25.75	£25.75
<b>11.</b> All work done where the accused is in custody and has tendered a plea of not guilty until determination of the application for legal aid.		£25.75	£25.75	£25.75
<b>12.</b> All work done by virtue of section 24(7) of the Act until determination of the application for legal aid.		£25.75	£25.75	£25.75
<b>13(a)</b> All work done in connection with a bail appeal under section 32 of the 1995 Act, or an appeal under section 201(4) of the 1995 Act, other than under sub-paragraph (b) or (c) below.		£51.50	£51.50	£51.50

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(b)	Representation in such an appeal where counsel not employed.	£30.90	£30.90	£30.90
(c)	Representation at a continued diet in such an appeal where counsel not employed.	£30.90	£30.90	£30.90

## PART 2

	Where professional services are provided in relation to proceedings in a sheriff court which has been designated as a drug court by the sheriff principal.
1. All work done under section 22 (1)(c) of the Act <sup>(4)</sup> up to and including the first appearance of an assisted person;	£103.00
2. All work done (other than work done in terms of paragraph 1) in connection with any appearance of an assisted person (per appearance);	£51.50

(4) The Legal Aid (Scotland) Act 1986 (c.47). Defined in regulation 2 of the Criminal (Fixed Payments) (Scotland) Regulations 1999/491.