

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 12

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:   | £347.92, or   | £572.00, or  | £628.79, or   |
| (i) any diet at which a plea of guilty is made and accepted or plea in mitigation is made,  | £319.52 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 below. | £543.60 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 below.                                | £600.39 where criminal legal aid has been made available in the circumstances referred to in paragraphs 8 or 9 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 2 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 2-10 below  |   |  |   |

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

|  |         |         |         |
|--|---------|---------|---------|
| <b>2.</b> All work done in connection with a grant of legal aid under section 23(1)(b) of the Act including the first 30 minutes of conducting a proof in mitigation, or a proof of a victim statement                           | £28.40  | £56.79  | £56.79  |
| <b>3.</b> Conducting a trial or proof in mitigation for the first day (after the first 30 minutes)   | £85.19  | £113.56 | £113.56 |
| <b>4.</b> Conducting a trial or proof in mitigation for the second and each subsequent day   | £227.12 | £340.38 | £340.68 |
| <b>5.</b> Conducting a proof of a victim statement:  |         | £340.68 | £340.68 |
| (i) 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), or  |         |         |         |
| (ii) at a continued diet following a concluded trial or proof in mitigation (per day).   |         |         |         |
| <b>6.</b> Representation at a third or subsequent diet of deferred sentence  | £28.40  | £56.79  | £56.79  |
| <b>7.</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) | £28.40  | £28.40  | £28.40  |
| <b>8.</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   | £28.40  | £28.40  | £28.40  |
| <b>9.</b> All work done by virtue of section 24(7) of the Act until determination of the application for legal aid   | £28.40  | £28.40  | £28.40  |
| <b>10.</b> All work done in connection with:   |         |         |         |
| (a) a bail appeal under section 32 of the 1995   | £56.79  | £56.79  | £56.79  |

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

|     |   |        |        |        |
|-----|---|--------|--------|--------|
|     | Act, or an appeal under section 201(4) of the 1995 Act, other than work under sub-paragraph (b) below   |        |        |        |
| (b) | representation in an appeal of either type specified in (a), or a continued diet of such an appeal, where counsel not employed (fee per appearance) | £34.08 | £34.08 | £34.08 |