

SCHEDULE 7

Regulation 4(9)(c)

Amendments to schedule 1 of the Criminal Legal Aid (Scotland) (Fees) Regulations 1989

PART 1
DETAILED FEES

		Summary Procedure	Solemn Procedure	
1.	In connection with the conduct of a hearing—			
	(a)	in summary proceedings, the fee for—		
		(i)	any time up to the first half hour spent by a solicitor conducting the hearing	£34.32
	(ii)	each quarter hour spent, subsequent to the first half hour, conducting the hearing	£17.17	
(b)	in solemn proceedings, the fee for each quarter of an hour spent by a solicitor conducting the hearing		£21.48	
1A.	Supplementary fee, payable in addition to the fee under paragraph 1, where at a holiday court sitting a solicitor acts for a person appearing from custody on the day on which that person is first brought to a court to answer to a complaint or attend a first examination		£88.16	£88.16
2.	The fee for any of the following—		£7.52	£8.17
	(a)	each citation of a witness, including execution,		
	(b)	framing and drawing necessary papers other than those referred to in paragraph 3(c),		
	(c)	instructing messengers at arms and sheriff officers, including examining execution and settling fee,		
	(d)	lengthy telephone calls (of over 4 and up to 10 minutes' duration), subject to paragraph 4(b)(iii), and		
	(e)	letters, including instructions to counsel, per page (or part thereof), subject to paragraph 3(b).		
3.	The fee for any of the following—		£3.04	£3.25
	(a)	attendance at court offices for performance of formal work including each necessary lodging in or uplifting from court or each necessary inquiry for documents due to be lodged,		
	(b)	short formal letters, letters of acknowledgement, letters each having a similar nature, intimations and letters confirming telephone calls,		
	(c)	framing formal papers, including inventories and title pages, per sheet (or part thereof),		

Status: This is the original version (as it was originally made).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

		Summary Procedure	Solemn Procedure
	(d)	revising papers drawn by counsel or where revisal ordered by court, per 5 sheets (or part thereof), and	
	(e)	subject to paragraph 4(b)(iii), short telephone calls (of up to 4 minutes' duration) and telephone calls (of any duration) where the intended recipient is not reached or insufficient narrative is provided in the account to ascertain the duration of the call.	
4.	In connection with taking a precognition in relation to solemn proceedings—		
	(a)	subject to paragraph 7 of the notes on the operation of schedule 1, the fee for each hour (or part thereof) spent —	
	(i)	travelling	£13.57
	(ii)	taking a statement	£13.57
	(b)	the fee for—	
	(i)	framing the precognition, per sheet	£2.85
	(ii)	each letter making arrangements for taking a statement	£1.72
	(iii)	a telephone call, of any duration	£1.13
5.	There is no fee for photocopying—		
	(a)	where fewer than 20 sheets are copied at any one time,	
	(b)	in relation to the first 20 sheets copied at any one time.	
	Subject to sub-paragraph (a), the fee for photocopying in relation to the proceedings is—		
	(a)	for each sheet copied for up to 10,000 sheets	£0.05
	(b)	for each sheet copied in addition to the first 10,000 sheets	£0.01
5A.	The fee for each quarter of an hour spent travelling—		
	(a)	by a solicitor	£6.63
	(b)	by a solicitor's clerk	£3.31
6.	The fee for each quarter of an hour spent carrying out work other than that prescribed in the preceding paragraphs—		
	(a)	by a solicitor, provided the time is additional to the total time charged for under paragraph 1	£13.23
	(b)	by a solicitor's clerk	£6.59
			£7.18

PART 2

INCLUSIVE FEES FOR SOLEMN FIRST INSTANCE PROCEEDINGS

	Column A	Column B	Column C
1. The fee for all work from the taking of initial instructions up until the client is admitted to bail or committed until liberated in due course of law, where—			
(a) at the first examination the client is either—			
(i) not committed for further examination, or	£178.31	£156.03	£66.88
(ii) committed for further examination and admitted to bail			
(b) at the first examination the client is committed for further examination and not admitted to bail	£267.47	£245.19	£156.03
2. The fee for all work preparing for a bail appeal hearing including any continued diet and, where necessary, instructing Edinburgh agents	£66.88	£66.88	£66.88
3. The fee for arranging and attending all meetings, including consultations, in prison with the client after full committal for trial up to the conclusion of the case	£512.64	£356.62	£178.31
4. The fee for preparation, including citing and settling with witnesses, perusing evidence and preparing lines of enquiry and submissions but excluding relative consultations, in respect of—			
(a) the first day of trial	£468.06	£334.34	£178.31
(b) a subsequent day of trial	£178.31	£133.75	£44.59
4A. The fee for preparation for	£44.59	£44.59	£44.59
(a) a hearing under section 76 of the 1995 Act (procedure where accused decides to plead guilty),			
(b) a hearing on a plea in bar of trial,			
(c) a hearing raising a preliminary issue, where the preliminary issue would have the effect of excusing the accused person from trial and no other fee is prescribed for this preparation.			
5. The fee for all work in connection with post conviction discussions, advice and representation including advising and giving an opinion on the prospects of any appeal	£207.65	£207.65	£118.50
6. Unless dealt with in the course of the preliminary hearing or a first diet, the fee for all work in connection with any of the following:—	£178.31	£178.31	£178.31

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

	Column A	Column B	Column C
(a) a devolution issue, in terms of Schedule 6 to the Scotland Act 1998,			
(ab) a compatibility issue in terms of section 288ZA (1) of the 1995 Act,			
(b) a vulnerable witnesses application, in terms of section 271A, B, C or D of the 1995 Act,			
(c) a specification of documents,			
(d) a precognition on oath,			
(e) an evidence on commission,			
(f) an application to lead evidence relating to sexual offences under section 275(1) of the 1995 Act,			
(g) a proof in mitigation, and			
(h) an examination of facts.			

(1) Section 288ZA was inserted by section 34(3) of the Scotland Act 2012 (c. 11).