
STATUTORY INSTRUMENTS

2015 No. 325

**The Civil and Criminal Legal Aid
(Remuneration) (Amendment) Regulations 2015**

Amendments to the Criminal Legal Aid (Remuneration) Regulations 2013

3.—(1) The Criminal Legal Aid (Remuneration) Regulations 2013⁽¹⁾ are amended as follows.

(2) In regulation 3(2) (scope), after “magistrates’ courts,” insert “to proceedings in the County Court,”.

(3) In Schedule 1 (Advocates’ Graduated Fee Scheme), in Part 7 (Table of Offences), under the heading “Class H: Miscellaneous other offences”, for the first and second entries substitute—

“Breach of a sexual harm prevention order or interim sexual harm prevention order	Sexual Offences Act 2003, 2003 c. 42 s.103I(2)
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Breach of a sexual risk order or interim sexual risk order	Sexual Offences Act 2003, As above s.122H(3)
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Breach of a criminal behaviour order	Anti-social Behaviour, Crime and Policing Act 2014, 2014 c. 12 s.30
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(4) Schedule 4 (Rates Payable for the Claims Specified in Regulation 8) is amended as follows.

(5) For paragraph 1 (Interpretation of this Schedule) substitute—

“Interpretation of this Schedule

1. In this Schedule—

(a) unless the context otherwise requires, words and expressions have the same meaning as in the 2010 Standard Crime Contract, and

(b) “the 2014 Act” means the Anti-social Behaviour, Crime and Policing Act 2014.”.

(6) In paragraph 5 (Representation in the Magistrates’ Court)—

(a) in sub-paragraph (1), after “rates” insert “for representation in a magistrates’ court (except where paragraph 5A applies)”;

(b) in sub-paragraph (2), after “a magistrates’ court” insert “(except where paragraph 5A applies)”, and

(c) in sub-paragraph (3)—

(i) after paragraph (a)(i) insert—

⁽¹⁾ [S.I. 2013/435](#); relevant amending instruments are [S.I. 2013/862](#) and [2014/415](#).

⁽²⁾ Section 103I was inserted into the Sexual Offences Act [2003 \(c. 42\)](#) by paragraph 2 of Schedule 5 to the Anti-social Behaviour, Crime and Policing Act [2014 \(c. 12\)](#).

⁽³⁾ Section 122H was inserted into the Sexual Offences Act [2003 \(c. 42\)](#) by paragraph 2 of Schedule 5 to the Anti-social Behaviour, Crime and Policing Act [2014 \(c. 12\)](#).

- “(ia) guilty pleas in proceedings for low-value shoplifting as defined in section 22A(3) of the Magistrates’ Court Act 1980⁽⁴⁾ (low-value shoplifting);”;
- (ii) in paragraph (a)(iii) and (iv), after “offences” insert “or proceedings referred to in sub-paragraph (ia)”, and
- (iii) in paragraph (b), after “proceedings” insert “(other than proceedings referred to in paragraph (a)(ia))”.
- (7) After paragraph 5 insert—

“Representation in proceedings relating to an injunction under Part 1 of the 2014 Act or related parenting order in any court

5A.—(1) This paragraph applies to proceedings prescribed as criminal proceedings under section 14(h) of the Act (other than an appeal) relating to—

- (a) an injunction under Part 1 of the 2014 Act; or
- (b) a parenting order under section 8(1)(b) of the Crime and Disorder Act 1998⁽⁵⁾ where an injunction is granted under Part 1 of the 2014 Act.
- (2) The fixed amounts and hourly rates for—
- (a) determining whether the lower or higher fee limit has been reached, and
- (b) claiming costs in cases which fall outside the fixed fee limits, are specified in the table following this sub-paragraph.

Representation in proceedings relating to an injunction under Part 1 of the 2014 Act or related parenting order in any court

All Areas

Routine letters written and telephone calls £3.56
per item

Preparation hourly rate £45.35

Advocacy hourly rate (including applications £56.89
for bail and other applications to court)

Hourly rate for attendance at court where £31.03
Counsel is assigned (including conferences
with Counsel at court)

(3) The table following this sub-paragraph sets out the fees and fee limits for representation in any court.

Higher and Lower Fees Table

	<i>Lower fee (£)</i>	<i>Lower fee limit (£)</i>	<i>Higher fee (£)</i>	<i>Higher fee limit (£)</i>
Uncontested	158.27	272.34	380.70	471.85
Contested	279.45	467.84	640.94	779.64

⁽⁴⁾ 1980 c. 43. Section 22A was inserted by section 176 of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12).

⁽⁵⁾ 1998 c. 37.

(4) The hourly rate for travelling and waiting in any court is £24.00.”.

(8) In paragraph 7 (Representation in proceedings prescribed as criminal proceedings under section 14(h) of the Act)—

- (a) in sub-paragraph (1), after “a magistrates’ court” insert “or where paragraph 5A applies”;
- (b) in the heading of the table following sub-paragraph (1), for “Magistrates’ Court” substitute “Crown Court”, and
- (c) in sub-paragraph (2), after “the Act” insert “(except where paragraph 5A or paragraph 10 applies)”.

(9) In paragraph 10 (Representation in the Crown Court on an appeal from a magistrates’ court in proceedings prescribed as criminal proceedings under section 14(h) of the Act), after “the Act” insert “or an appeal to the County Court relating to an injunction under Part 1 of the 2014 Act or a parenting order under section 8(1)(b) of the Crime and Disorder Act 1998 made in connection with an injunction under Part 1 of the 2014 Act”.