

SCHEDULE 1

Standard Fee Cases

PART 1

Scope and Definitions

Interpretation

3.—(1) A case in the magistrates' court is a guilty plea if it was disposed of without a contest because the assisted person pleaded guilty to one or more charges.

(2) Subject to sub-paragraph (3), a Guilty Plea 1 Fee shall be payable in a case where the assisted person pleaded guilty to one or more charges and the case did not proceed as a contest.

(3) A Guilty Plea 2 Fee shall be payable in a case which was listed for, but did not proceed as, a contest because the assisted person pleaded guilty to one or more charges.

(4) A Contest Fee shall only be payable for a case in the magistrates' court where the assisted person pleaded not guilty to one or more charges and the hearing of the case proceeded as a contest.

(5) For the purposes of sub-paragraph (4), a case shall only be considered as having proceeded as a contest:

(a) where the first prosecution witness had begun to give evidence; or

(b) where the case was contested either —

(i) on the papers only,

(ii) on legal arguments, with no witnesses being called, or

(iii) with the prosecution evidence being accepted but a defence was put forward.

(6) Subject to paragraphs 12, 15 and 17, a Committal Fee shall be payable in a case where a preliminary inquiry or investigation was held in the magistrates' court.