

SCHEDULE

Regulation 2(10)

After Schedule 1 to the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999 insert—

“SCHEDULE 1A

	<i>Where professional services are provided in relation to proceedings in the Sheriff Court or the JP court (where proceedings are set down to proceed before a Stipendiary Magistrate)</i>	<i>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</i>
1. All work up to and including—	£515	£515
(a) any diet at which a plea of guilty is made and accepted or plea in mitigation is made;	(where criminal legal aid has been made available in the circumstances referred to in paragraphs 11 or 12 of Part 1 of Schedule 1 above, £490)	(where criminal legal aid has been made available in the circumstances referred to in paragraphs 11 or 12 of Part 1 of Schedule 1 above, £490)
(b) the first 30 minutes of conducting any trial;		
(c) a first or second diet of deferred sentence; and		
(d) 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 of the kind specified in paragraphs 10 to 12 of Part 1 of Schedule 1 above.		
2. All work mentioned in paragraph 1 above that is done in connection with a complaint under section 27(1)(b) of the 1995 Act.	£257.50	£257.50

Status: This is the original version (as it was originally made).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

SCHEDULE 1B

PART 1

	<i>Where professional services are provided in relation to proceedings in the JP court (other than where proceedings are set down to proceed before a Stipendiary Magistrate)</i>	<i>Where professional services are provided in relation to proceedings in the Sheriff Court or the JP court (where proceedings are set down to proceed before a Stipendiary Magistrate)</i>
<p>1. All work up to and including—</p> <ul style="list-style-type: none"> (a) any diet at which a plea of guilty is made and accepted or plea in mitigation is made; (b) 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; (c) a first or second diet of deferred sentence; and (d) advising, giving an opinion and taking final instructions on the prospects of an appeal against conviction, sentence, other disposal or acquittal, <p>together with any subsequent or additional work other than that specified in paragraphs 8 and 9 below.</p>		£515
<p>2. All work prior to, and attendance at—</p> <ul style="list-style-type: none"> (a) any diet at which a plea to the competency or relevancy of 		

	<i>Where professional services are provided in relation to proceedings in the JP court (other than where proceedings are set down to proceed before a Stipendiary Magistrate)</i>	<i>Where professional services are provided in relation to proceedings in the Sheriff Court or the JP court (where proceedings are set down to proceed before a Stipendiary Magistrate)</i>
the complaint or proceedings, or a plea in bar of trial, is tendered;		
(b) any diet at which a question within the meaning of Rule 31.1 of the Act of Adjournal (Criminal Procedure Rules) 1996 ⁽¹⁾ is raised;		
(c) any diet from or to which the case has been adjourned under section 145 of the 1995 Act;		
(d) any diet at which there is tendered a plea of guilty or a plea in mitigation is made;		
(e) any diet at which the court is considering the accused's plea of guilty to the charges and where there has been no change of plea; and		
(f) any diet at which the court is considering the accused's change to plea of guilty to the charges, and where no application for criminal legal aid has been made,		
together with—		

(1) S.I.1996/513.

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	<i>Where professional services are provided in relation to proceedings in the JP court (other than where proceedings are set down to proceed before a Stipendiary Magistrate)</i>	<i>Where professional services are provided in relation to proceedings in the Sheriff Court or the JP court (where proceedings are set down to proceed before a Stipendiary Magistrate)</i>
(i) the first 30 minutes of conducting a proof in mitigation;		
(ii) a first or second diet of deferred sentence;		
(iii) any subsequent or additional work other than that specified in paragraphs 4 and 8 to 13 below.		
3. All work mentioned in paragraph 1 or 2 above that is done in connection with a complaint under section 27(1)(b) of the 1995 Act.	£75	£257.50
4. Conducting a proof in mitigation for the first day (after the first 30 minutes).	£50	£100
5. 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, adjourns such a proof without hearing evidence.		£50
6. Conducting a proof of a victim statement where there has been no proof in mitigation for the first day (after the first 30 minutes), and thereafter for subsequent days (per day).		£200
7. Conducting a proof of a victim statement at a continued diet following a concluded trial or proof in mitigation (per day).		£200
8. Representation in court at a diet of deferred sentence or, per appearance, in a court which has been designated as a youth court by the Sheriff Principal,	£25	£50

	<i>Where professional services are provided in relation to proceedings in the JP court (other than where proceedings are set down to proceed before a Stipendiary Magistrate)</i>	<i>Where professional services are provided in relation to proceedings in the Sheriff Court or the JP court (where proceedings are set down to proceed before a Stipendiary Magistrate)</i>
at a hearing in respect of a community supervision order, or per appearance at a hearing in a court which has been designated as a domestic abuse court by the Sheriff Principal.		
9. 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	£25
10. All work done in connection with a bail appeal under section 32 of the 1995 Act, or on appeal under section 201(4) of the 1995 Act.	£50	£50
11. All work done in connection with an application for bail subject to a movement restriction condition under section 24A of the 1995 Act.		£50
12. Conducting a special reasons proof or hearing on exceptional hardship (where both, they to be regarded as one only even if conducted separately).	£150	£150
13. Conducting a back-duty proof (but only if in the case no fee is payable under paragraph 12 above).	£50	£50

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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 in connection with £50”.
any appearance of an assistance person (per appearance).
