

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Criminal Defence Service (Choice in Very High Cost Cases) Regulations 2001 ([S.I 2001/1169](#)) (“the 2001 Regulations”). The 2001 Regulations provide for the selection of new representatives where a right to representation has been granted in a Very High Cost Case and the Legal Services Commission or the current representatives do not propose to contract with one another.

These Regulations amend the definition of a Very High Cost Case in the 2001 Regulations to:

- (a) increase the qualifying period during which the trial of a Very High Cost Case is likely to last to 41 days or longer; and
- (b) remove the alternative of a financial threshold above which a case would qualify as a Very High Cost Case.

The amendment made by these Regulations brings the definition of a Very High Cost Case in the 2001 Regulations into line with the amended definition in the Criminal Defence Service (Funding) Order 2001 ([S.I.2001/855](#)) and the Criminal Defence Service (General) (No.2) Regulations 2001 ([S.I.2001/1437](#)).