

SCHEDULE 1

Advocates' Graduated Fee Scheme

PART 5

Fixed Fees

General provisions

11.—^{F1}(1)

(2) Except as provided under this Part, all work undertaken by an advocate in a case to which Part 3 applies is included within the basic fee ^{F2}... specified in the table following paragraph 5, or [^{F3}the basic fee specified in the tables] following [^{F4}paragraph 7], as appropriate to—

- (a) the offence for which the assisted person is tried;
- (b) the category of advocate; and
- (c) whether the case is a cracked trial, guilty plea or trial.

Textual Amendments

- F1** Sch. 1 para. 11(1) omitted (30.9.2022) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2022 \(S.I. 2022/848\)](#), reg. 1(1), **Sch. 1 para. 7** (with reg. 3) (as amended (31.10.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1035\)](#), regs. 1(1), **2(1)**) (which affecting provision is amended so that the increases to certain fees apply to a wider range of cases (23.12.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1267\)](#), regs. 1(1), 3, **Sch.**)
- F2** Word in Sch. 1 para. 11(2) omitted (1.4.2018) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **15(a)** (with reg. 34)
- F3** Words in Sch. 1 para. 11(2) substituted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **15(b)** (with reg. 34)
- F4** Words in Sch. 1 para. 11(2) substituted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(8)** (with reg. 7)

Fees for ^{F5}...standard appearances

12.—^{F6}(1)

(2) The fee payable in respect of an appearance by the trial advocate or substitute advocate at a ^{F7}...standard appearance ^{F8}... is specified in the table following paragraph 24 as appropriate to the category of trial advocate or substitute advocate.

^{F9}(3)

(4) This paragraph does not apply to a standard appearance which is or forms part of the main hearing in a case or to a hearing for which a fee is payable elsewhere under this Schedule.

Textual Amendments

- F5** Words in Sch. 1 para. 12 heading omitted (5.10.2015) by virtue of [The Civil and Criminal Legal Aid \(Amendment\) \(No.2\) Regulations 2015 \(S.I. 2015/1678\)](#), regs. 1(2)(a), **5(11)(c)(i)**

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- F6** Sch. 1 para. 12(1) omitted (1.4.2018) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **16(a)** (with reg. 34)
- F7** Words in Sch. 1 para. 12(2) omitted (5.10.2015) by virtue of [The Civil and Criminal Legal Aid \(Amendment\) \(No.2\) Regulations 2015 \(S.I. 2015/1678\)](#), regs. 1(2)(a), **5(11)(c)(iii)**
- F8** Words in Sch. 1 para. 12(2) omitted (1.4.2018) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **16(b)** (with reg. 34)
- F9** Sch. 1 para. 12(3) omitted (5.10.2015) by virtue of [The Civil and Criminal Legal Aid \(Amendment\) \(No.2\) Regulations 2015 \(S.I. 2015/1678\)](#), regs. 1(2)(a), **5(11)(c)(iv)** (with reg. 10(2))

Fees for abuse of process, disclosure, admissibility and withdrawal of plea hearings

13.—(1) This paragraph applies to—

- (a) the hearing of an application to stay the case on indictment or any count on the ground that the proceedings constitute an abuse of the process of the court;
- (b) any hearing relating to the question of whether any material should be disclosed by the prosecution to the defence or the defence to the prosecution (whether or not any claim to public interest immunity is made);
- (c) the hearing of an application under section 2(1) of the Criminal Procedure (Attendance of Witnesses) Act 1965 ^{M1} (issue of witness summons on application to Crown Court) for disclosure of material held by third parties;
- (d) any hearing relating to the question of the admissibility as evidence of any material; ^{F10}...
- [^{F11}(da) a ground rules hearing ordered in a case in which a special measures direction provides for a recording to be admitted under section 28 (video recorded cross-examination or re-examination) of the Youth Justice and Criminal Evidence Act 1999, and for this purpose “special measures direction” has the meaning given in section 33(1) (interpretation etc. of Chapter I) of that Act; and]
- (e) the hearing of an application to withdraw a plea of guilty where the application is—
 - (i) made by an advocate other than the advocate who appeared at the hearing at which the plea of guilty was entered; and
 - (ii) unsuccessful.

(2) Where a hearing to which this paragraph applies is held on any day of the main hearing of a case on indictment, no separate fee is payable in respect of attendance at the hearing, but the hearing is included in the length of the main hearing for the purpose of calculating the fees payable.

(3) Where a hearing to which this paragraph applies is held prior to the first or only day of the main hearing, it is not included in the length of the main hearing for the purpose of calculating the fees payable and the trial advocate or substitute advocate must be remunerated for attendance at such a hearing—

- (a) in respect of any day where the hearing begins before and ends after the luncheon adjournment, at the daily rate set out in the table following paragraph 24 as appropriate to the category of trial advocate or substitute advocate; or
- (b) in respect of any day where the hearing begins and ends before the luncheon adjournment, or begins after the luncheon adjournment, at the half-daily rate set out in the table following paragraph 24 as appropriate to the category of trial advocate or substitute advocate.

Textual Amendments

- F10** Word in Sch. 1 para. 13(1)(d) omitted (1.4.2018) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **17(a)** (with reg. 34)

F11 Sch. 1 para. 13(1)(da) inserted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **17(b)** (with reg. 34)

Marginal Citations

M1 1965 c 69.

[^{F12}Fee for video recorded cross-examination or re-examination

13A.—(1) The fee payable to the trial advocate per case to which paragraph (2) applies in respect of all cross-examination to which paragraph (3) applies is £670.

(2) This paragraph applies to any case where a special measures direction provides for a video recording to be admitted under section 28 (video recorded cross-examination) of the 1999 Act.

(3) This sub-paragraph applies to a cross-examination —

- (a) which is recorded by means of video recording; and
- (b) where such a recording is admissible, so far as it relates to any such cross-examination, as evidence of the witness under cross-examination, by virtue of a special measures direction.

(4) In this paragraph—

“the 1999 Act” is the Youth Justice and Criminal Evidence Act 1999;

“cross-examination” includes re-examination; and

“special measures direction” has the meaning given in section 33(1) (interpretation etc of Chapter 1) of the 1999 Act.”]

Textual Amendments

F12 Sch. 1 para. 13A inserted (1.2.2023) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2023 \(S.I. 2023/97\)](#), regs. 1(1), **2(7)** (with reg. 3)

Fees for confiscation hearings

14.—(1) This paragraph applies to—

- (a) a hearing under Part 2 of the Proceeds of Crime Act 2002 ^{M2} (confiscation: England and Wales);
- (b) a hearing under section 2 of the Drug Trafficking Act 1994 ^{M3} (confiscation orders); and
- (c) a hearing under section 71 of the Criminal Justice Act 1988 ^{M4} (confiscation orders).

(2) A hearing to which this paragraph applies is not included in the length of the main hearing or of any sentencing hearing for the purpose of calculating the fees payable, and the trial advocate or substitute advocate must be remunerated in respect of such a hearing—

(a) where the number of pages of evidence is fewer than 51, for attendance—

- (i) in respect of any day when the hearing begins before and ends after the luncheon adjournment, at the daily rate set out in the first section of the table following this sub-paragraph; or
- (ii) in respect of any day when the hearing begins and ends before the luncheon adjournment, or begins after the luncheon adjournment, at the half-daily rate set out in the first section of that table,

as appropriate to the category of trial advocate or substitute advocate;

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- (b) where the number of pages of evidence is between 51 and 1000—
 - (i) at the rates for the relevant number of pages set out in the second section of the table following this sub-paragraph; and
 - (ii) where the hearing lasts for more than one day, for attendance on subsequent days or half-days at the daily rate or half-daily rate set out in the first section of that table, as appropriate to the category of trial advocate or substitute advocate; or
- (c) where the number of pages of evidence exceeds 1000—
 - (i) at the rates for 751 to 1000 pages set out in the second section of the table following this sub-paragraph;
 - (ii) with such fee as the appropriate officer considers reasonable for preparation in respect of the pages in excess of 1000, at the hourly rates for preparation set out in the third section of that table; and
 - (iii) where the hearing lasts for more than one day, for attendance on subsequent days or half-days at the daily rate or half-daily rate set out in the first section of that table, as appropriate to the category of trial advocate or substitute advocate.

[^{F13}Fees for confiscation hearings

	<i>Fee for QC</i>	<i>Fee for Leading Junior</i>	<i>Fee for Junior Alone</i>	<i>Fee for Led Junior</i>
1. Daily and half daily rates				
Half daily rate	£302	£227	£151	£151
Daily rate	£577	£401	£276	£276
2. Pages of evidence				
51-250	£753	£628	£503	£376
251-500	£1,130	£942	£753	£565
501-750	£1,508	£1,256	£1,005	£753
751-1000	£2,260	£1,884	£1,508	£1,130
3. Preparation hourly rates	£85.95	£65.04	£45.30	£45.30]

- (3) In sub-paragraph (2) “evidence” means—
 - (a) the statement of information served under section 16 of the Proceeds of Crime Act 2002 and relied on by the prosecution for the purposes of a hearing under Part 2 of that Act, or a similar statement served and so relied on for the purposes of a hearing under section 2 of the Drug Trafficking Act 1994 or under section 71 of the Criminal Justice Act 1988 and, in each case, any attached annexes and exhibits;
 - (b) any other document which—
 - (i) is served as a statement or an exhibit for the purposes of the trial;
 - (ii) is specifically referred to in, but not served with, a statement mentioned in paragraph (a); and
 - (iii) the prosecution state that they intend to rely on in the hearing; and

- (c) any written report of an expert obtained with the prior authority of the Lord Chancellor under regulation 13 or allowed by the appropriate officer under these Regulations, and any attached annexes and exhibits, other than documents contained in such annexes or exhibits which have also been served under paragraph (a) or (b) or which consist of financial records or similar data.

Textual Amendments

F13 Sch. 1 para. 14(2) table substituted (30.9.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2022 \(S.I. 2022/848\)](#), reg. 1(1), **Sch. 1 para. 8** (with reg. 3) (as amended (31.10.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1035\)](#), regs. 1(1), **2(1)**) (which affecting provision is amended so that the increases to certain fees apply to a wider range of cases (23.12.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1267\)](#), regs. 1(1), 3, **Sch.**)

Marginal Citations

M2 2002 c. 29.
M3 1994 c. 37.
M4 1988 c. 33.

Fees for sentencing hearings

[^{F14}**15**—(1) Subject to sub-paragraphs (2) to (4), the fee payable to an advocate for appearing at a sentencing hearing is the fixed sentencing hearing fee.

(2) Where sentence has been deferred under [^{F15}Chapter 1 of Part 2 of the Sentencing Code (deferment of sentence)], the fee payable to an advocate for appearing at a sentencing hearing is the fee for a deferred sentencing hearing for the category of the advocate concerned which is set out in the fixed fees table.

(3) Subject to sub-paragraph (4), where a hospital direction, a hospital order or a restriction order is in force in respect of an assisted person in a sentencing hearing, the fee payable to an advocate for appearing at the sentencing hearing is a fee (the “DAF equivalent fee”) which is equal to the daily attendance fee under paragraph 5A which relates to the category of the advocate concerned and the band within which the offence for which the assisted person is to be sentenced falls.

(4) Where the sentencing hearing takes place on a day, or at a time, in respect of which an advocate receives, or is to receive, a banded fee—

- (a) no fixed sentencing hearing fee is payable to the advocate for appearing at the sentencing hearing under sub-paragraph (1);
- (b) no DAF equivalent fee is payable to the advocate for appearing at the sentencing hearing under sub-paragraph (3).

(5) In this paragraph—

“banded fee” means a basic fee under paragraph 5, a daily attendance fee under paragraph 5A or a basic fee (in respect of a guilty plea or a cracked trial) under [^{F16}paragraph 7];

“fixed fees table” means the table following paragraph 24;

“fixed sentencing hearing fee” means the fee for a sentencing hearing for the category of the advocate concerned which is set out in fixed fees table;

“hospital direction” has the meaning given in section 45A (power of higher courts to direct hospital admission) of the Mental Health Act 1983;

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“hospital order” has the meaning given in section 37 (powers of courts to order hospital admission or guardianship) of the Mental Health Act 1983;

“sentencing hearing” means a sentencing hearing following a case on indictment to which this Schedule applies.]

Textual Amendments

- F14** Sch. 1 para. 15 substituted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **18** (with reg. 34)
- F15** Words in Sch. 1 para. 15(2) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 414** (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2
- F16** Words in Sch. 1 para. 15(5) substituted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(9)** (with reg. 7)

Fees for ineffective trials

16. The fee set out in the table following paragraph 24 as appropriate to the category of trial advocate is payable in respect of each day on which the case was listed for trial but did not proceed on the day for which it was listed, for whatever reason.

Fees for special preparation

17.—(1) This paragraph applies where, in any case on indictment in the Crown Court in respect of which a graduated fee is payable under Part 2 or Part 3—

- (a) it has been necessary for an advocate to do work by way of preparation substantially in excess of the amount normally done for cases of the same type because the case involves a ^{F17}... [^{F18}very unusual or] novel point of law [^{F19}or factual issue][^{F20}; or]
- [^{F21}(b) the number of pages of prosecution evidence, as defined and determined in accordance with paragraph 1(2) to (5), exceeds—
- [^{F22}(ai) in cases falling within bands 2.1 and 2.2 (terrorism offences), 750;
 - (bi) in cases falling within bands 3.1 to 3.5 (serious violence), 700;
 - (ci) in cases falling within bands 4.1. to 4.3 (sexual offences, children), 750;
 - (di) in cases falling within bands 5.1 to 5.3 (sexual offences, adult), 650;]
 - (i) in cases falling within bands 6.1 to 6.5 (dishonesty offences, including proceeds of crime and money laundering), 30,000;
 - [^{F23}(ia) in cases falling within bands 7.1 to 7.3 (property damage offences), 550;
 - (ib) in cases falling within band 8.1 (offences against the public interest, unless standard), 600;]
 - (ii) in cases falling within bands 9.1 to 9.7 (drugs offences), 15,000; or
 - [^{F24}(iia) in cases falling within band 10.1 (driving offences), 800;
 - (iib) in cases falling within bands 11.1 and 11.2 (burglary and robbery), 350;
 - (iic) in cases falling within bands 12.1 to 12.3 (firearms offences), 750;
 - (iid) in cases falling within band 13.1 (other offences against the person), 750;
 - (iie) in cases falling within band 14.1 (exploitation/human trafficking offences), 350;
 - (iif) in cases falling within bands 15.1 to 15.3 (public order offences), 150;
 - (iig) in cases falling within bands 16.1 to 16.3 (regulatory offences), 300;

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(iih) in cases falling within band 17.1 (standard cases), 100;]

(iii) in all other cases, 10,000,

and the appropriate officer considers it reasonable to make a payment in excess of the graduated fee payable under this Schedule.]

^{F25}(c)

(2) Where this paragraph applies, a special preparation fee may be paid, in addition to the graduated fee payable under Part 2 or Part 3.

(3) The amount of the special preparation fee must be calculated—

(a) where sub-paragraph (1)(a) applies, from the number of hours preparation in excess of the amount the appropriate officer considers reasonable for cases of the same type;

(b) where sub-paragraph (1)(b) applies, from the number of hours which the appropriate officer considers reasonable to read the excess pages; ^{F26}...

^{F27}(c)

and in each case using the hourly fee rates set out in the table following paragraph 24 as appropriate to the category of trial advocate.

(4) Any claim for a special preparation fee under this paragraph must be made by [^{F28}a trial] advocate, whether or not [^{F29}the trial] advocate did the work claimed for.

(5) [^{F30}A trial] advocate claiming a special preparation fee must supply such information and documents as may be required by the appropriate officer in support of the claim.

(6) In determining a claim under this paragraph, the appropriate officer must take into account all the relevant circumstances of the case, including, where special preparation work has been undertaken by more than one advocate, the benefit of such work to the trial advocate.

[^{F31}(7) In sub-paragraphs (4) and (5), where the main hearing is a trial, “trial advocate” means the advocate who—

(a) is instructed pursuant to a section 16 determination to represent the assisted person at the trial, and

(b) attends the first day of the trial][^{F32}, and for this purpose “trial” excludes any cross-examination or re-examination to which paragraph 13A(3) of Schedule 1 applies.]

Textual Amendments

F17 Words in Sch. 1 para. 17(1)(a) omitted (1.4.2018) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **19(a)(i)** (with reg. 34)

F18 Words in Sch. 1 para. 17(1)(a) inserted (31.12.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2018 \(S.I. 2018/1323\)](#), regs. 1, **12(a)** (with reg. 17)

F19 Words in Sch. 1 para. 17(1)(a) inserted (31.12.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2018 \(S.I. 2018/1323\)](#), regs. 1, **12(b)** (with reg. 17)

F20 Word in Sch. 1 para. 17(1)(a) substituted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **19(a)(ii)** (with reg. 34)

F21 Sch. 1 para. 17(1)(b) substituted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **19(b)** (with reg. 34)

F22 Sch. 1 para. 17(1)(b)(ai)-(di) inserted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(10)(a)** (with reg. 7)

F23 Sch. 1 para. 17(1)(b)(ia)(ib) inserted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(10)(b)** (with reg. 7)

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- F24** Sch. 1 para. 17(1)(b)(iia)-(iih) inserted (17.9.2020) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2020 (S.I. 2020/903), regs. 1(2), **4(10)(c)** (with reg. 7)
- F25** Sch. 1 para. 17(1)(c) omitted (1.4.2018) by virtue of The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018/220), regs. 1, **19(c)** (with reg. 34)
- F26** Word in Sch. 1 para. 17(3)(b) omitted (1.4.2018) by virtue of The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018/220), regs. 1, **19(d)** (with reg. 34)
- F27** Sch. 1 para. 17(3)(c) omitted (1.4.2018) by virtue of The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018/220), regs. 1, **19(e)** (with reg. 34)
- F28** Words in Sch. 1 para. 17(4) substituted (5.5.2015) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2015 (S.I. 2015/882), regs. 1, **2(3)(f)** (with reg. 3)
- F29** Words in Sch. 1 para. 17(4) substituted (5.5.2015) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2015 (S.I. 2015/882), regs. 1, **2(6)(d)** (with reg. 3)
- F30** Words in Sch. 1 para. 17(5) substituted (5.5.2015) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2015 (S.I. 2015/882), regs. 1, **2(4)(c)** (with reg. 3)
- F31** Sch. 1 para. 17(7) inserted (5.5.2015) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2015 (S.I. 2015/882), regs. 1, **2(16)(b)** (with reg. 3)
- F32** Words in Sch. 1 para. 17(7)(b) inserted (1.2.2023) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2023 (S.I. 2023/97), regs. 1(1), **2(8)** (with reg. 3)

[^{F33}Fees for consideration of unused material

17A.—(1) This paragraph applies in respect of any case on indictment in the Crown Court, in respect of which a graduated fee is payable under Part 2 or Part 3, other than a guilty plea.

(2) In any case to which this paragraph applies, a fee (“the basic consideration fee”) is payable to a trial advocate in respect of the consideration of unused material which corresponds to the category of the advocate concerned specified in the table following this sub-paragraph, whether or not such consideration has actually occurred.

^{F34} Category of advocate	Fee
QC	£128.93
Leading Junior	£97.57
Junior alone or Led Junior	£67.95]

(3) This sub-paragraph applies where—

- (a) a trial advocate has undertaken the consideration of unused material; and
- (b) the advocate has spent in excess of three hours undertaking that consideration.

(4) In a case where sub-paragraph (3) applies—

- (a) a fee (“the additional fee”) is payable to the trial advocate in addition to the basic consideration fee; and
- (b) the amount of the additional fee corresponds to the category of the advocate concerned specified in the table following paragraph 24.

(5) The additional fee is payable only where the appropriate officer considers it reasonable to make such a payment.

(6) A trial advocate claiming the additional fee must supply such information and documents as may be required by the appropriate officer in support of the claim.

(7) In determining whether it is reasonable to pay the additional fee, the appropriate officer must take into account—

- (a) the reasonableness of the hours claimed in respect of the case taken as a whole; and
- (b) the reasonableness of the hours claimed in respect of the consideration of the unused material.]

Textual Amendments

- F33** Sch. 1 para. 17A inserted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(11)** (with reg. 7)
- F34** Sch. 1 para. 17A(2) table substituted (30.9.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2022 \(S.I. 2022/848\)](#), reg. 1(1), **Sch. 1 para. 9** (with reg. 3) (as amended (31.10.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1035\)](#), regs. 1(1), **2(1)**)

Fees for wasted preparation

18.—(1) A wasted preparation fee may be claimed where a trial advocate in any case to which this paragraph applies is prevented from representing the assisted person in the main hearing by any of the following circumstances—

- (a) the trial advocate is instructed to appear in other proceedings at the same time as the main hearing in the case and has been unable to secure a change of date for either the main hearing or the other proceedings;
- (b) the date fixed for the main hearing is changed by the court despite the trial advocate's objection;
- (c) the trial advocate has withdrawn from the case with the leave of the court because of the trial advocate's professional code of conduct or to avoid embarrassment in the exercise of the trial advocate's profession;
- (d) the trial advocate has been dismissed by the assisted person or the litigator; or
- (e) the trial advocate is obliged to attend at any place by reason of a judicial office held by the trial advocate or other public duty.

(2) This paragraph applies to every case on indictment to which this Schedule applies provided that—

- (a) the case goes to trial, and the trial lasts for five days or more; or
- (b) the case is a cracked trial, and the number of pages of prosecution evidence exceeds 150.

(3) The amount of the wasted preparation fee must be calculated from the number of hours of preparation reasonably carried out by the trial advocate, using the hourly fee rates set out in the table following paragraph 24 as appropriate to the category of trial advocate, but no such fee is payable unless the number of hours of preparation is eight or more.

(4) Any claim for a wasted preparation fee under this paragraph must be made by [^{F35}a trial] advocate, whether or not [^{F36}the trial] advocate did the work claimed for.

(5) [^{F37}A trial] advocate claiming a wasted preparation fee must supply such information and documents as may be required by the appropriate officer as proof of the circumstances in which the ^{F38}... advocate was prevented from representing the assisted person and of the number of hours of preparation.

[^{F39}(6) In sub-paragraphs (4) and (5), where the main hearing is a trial, “trial advocate” means an advocate who—

- (a) is instructed pursuant to a section 16 determination to represent the assisted person at the trial, and

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- (b) attends the first day of the trial]^{F40}, and for this purpose “trial” excludes any cross-examination or re-examination to which paragraph 13A(3) of Schedule 1 applies.]

Textual Amendments

- F35** Words in Sch. 1 para. 18(4) substituted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(3)(f)** (with reg. 3)
- F36** Words in Sch. 1 para. 18(4) substituted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(6)(d)** (with reg. 3)
- F37** Words in Sch. 1 para. 18(5) substituted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(4)(c)** (with reg. 3)
- F38** Word in Sch. 1 para. 18(5) omitted (5.5.2015) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(16)(c)(i)** (with reg. 3)
- F39** Sch. 1 para. 18(6) inserted (5.5.2015) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2015 \(S.I. 2015/882\)](#), regs. 1, **2(16)(c)(ii)** (with reg. 3)
- F40** Words in Sch. 1 para. 18(6)(b) inserted (1.2.2023) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2023 \(S.I. 2023/97\)](#), regs. 1(1), **2(9)** (with reg. 3)

Fees for conferences and views

19.—(1) This paragraph applies to the following types of work—

- (a) attendance by the trial advocate at pre-trial conferences with prospective or actual expert witnesses not held at court;
- (b) attendance by the trial advocate at views at the scene of the alleged offence;
- (c) attendance by the trial advocate at pre-trial conferences with the assisted person not held at court;
- (d) reasonable travelling time by the trial advocate for the purpose of attending a view at the scene of the alleged offence; or
- (e) reasonable travelling time by the trial advocate for the purpose of attending a pre-trial conference with the assisted person or prospective or actual expert witness, where the appropriate officer is satisfied that the assisted person or prospective or actual expert witness was unable or could not reasonably have been expected to attend a conference at the trial advocate's chambers or office.

(2) The fees payable in respect of attendance at the first three pre-trial conferences or views, as set out in sub-paragraph (1)(a) to (c), are included in the basic fee ^{F41}... specified in the table following paragraph 5, or ^{F42}the basic fee specified in the tables following ^{F43}paragraph 7], as appropriate to the offence for which the assisted person is tried, the category of trial advocate and whether the case is a guilty plea, cracked trial or trial, provided that the trial advocate satisfies the appropriate officer that the work was reasonably necessary.

(3) The fee specified in the table following paragraph 24 as appropriate to the category of trial advocate is payable in the following circumstances, provided that the trial advocate satisfies the appropriate officer that the work was reasonably necessary—

- (a) for trials lasting not less than 21 and not more than 25 days, and cracked trials where it was accepted by the court at ^{F44}the first hearing at which the assisted person entered a plea] that the trial would last not less than 21 days and not more than 25 days, one further pre-trial conference or view not exceeding two hours;
- (b) for trials lasting not less than 26 and not more than 35 days, and cracked trials where it was accepted by the court at ^{F44}the first hearing at which the assisted person entered a

plea] that the trial would last not less than 26 days and not more than 35 days, two further pre-trial conferences or views each not exceeding two hours; and

- (c) for trials lasting not less than 36 days, and cracked trials where it was accepted by the court at [^{F44}the first hearing at which the assisted person entered a plea] that the trial would last not less than 36 days and not more than 40 days, three further pre-trial conferences or views each not exceeding two hours.

(4) Travel expenses must be paid for all conferences and views set out in sub-paragraph (1)(a) to (c), provided that the trial advocate satisfies the appropriate officer that they were reasonably incurred.

(5) Travelling time must be paid for all conferences and views set out in sub-paragraph (1)(a) to (c), provided that the trial advocate satisfies the appropriate officer that it was reasonable.

Textual Amendments

- F41** Word in Sch. 1 para. 19(2) omitted (1.4.2018) by virtue of [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **20(a)** (with reg. 34)
- F42** Words in Sch. 1 para. 19(2) substituted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **20(b)** (with reg. 34)
- F43** Words in Sch. 1 para. 19(2) substituted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(12)** (with reg. 7)
- F44** Words in Sch. 1 para. 19(3) substituted (5.10.2015) by [The Civil and Criminal Legal Aid \(Amendment\) \(No.2\) Regulations 2015 \(S.I. 2015/1678\)](#), regs. 1(2)(a), **5(11)(d)**

[^{F45}Fees for further case management hearings and plea and trial preparation hearings

19A.—[

^{F46}(1)] The fee payable to a trial advocate for a further case management hearing or a plea and trial preparation hearing held at court is the fee which corresponds with a hearing of that description, and the category of the advocate concerned, which is set out in the table following paragraph 24.

[

^{F47}(2) But if a guilty plea is entered at a plea and trial preparation hearing, the fee payable to the advocate for that hearing is the amount set out in Table A following [^{F48}paragraph 7] which corresponds with the band within which the offence falls and the category of the advocate concerned.]]

Textual Amendments

- F45** Sch. 1 para. 19A inserted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **21** (with reg. 34)
- F46** Sch 1 para. 19A renumbered as Sch. 1 para 19A(1) (31.12.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2018 \(S.I. 2018/1323\)](#), regs. 1, **13(2)** (with reg. 17)
- F47** Sch. 1 para. 19A(2) inserted (31.12.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2018 \(S.I. 2018/1323\)](#), regs. 1, **13(3)** (with reg. 17)
- F48** Words in Sch. 1 para. 19A(2) substituted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(13)** (with reg. 7)

Status: Point in time view as at 01/02/2023.

Changes to legislation: There are currently no known outstanding effects for the The Criminal Legal Aid (Remuneration) Regulations 2013, PART 5. (See end of Document for details)

Fees for appeals, committals for sentence and breach hearings

20.—(1) Subject to sub-paragraphs [^{F49}(4) to (7)] and paragraph 26 the fee payable to a trial advocate in any of the hearings referred to in paragraph 2(1)(b) is the fixed fee specified in the table following paragraph 24.

(2) Where a hearing referred to in paragraph 2(1)(b) is listed but cannot proceed because of the failure of the assisted person or a witness to attend, the unavailability of a pre-sentence report, or other good reason, the fee payable to the advocate is the fixed fee specified in the table following paragraph 24.

(3) Where—

- (a) a bail application;
- (b) a mention hearing; or
- (c) any other application,

takes place in the course of a hearing referred to in paragraph 2(1)(b), the fee payable to the advocate is the fixed fee specified in the table following paragraph 24.

(4) Where it appears to the appropriate officer that the fixed fee allowed under sub-paragraph (1) would be inappropriate taking into account all of the relevant circumstances of the case the appropriate officer may instead allow fees of such amounts as appear to the appropriate officer to be reasonable remuneration for the relevant work in accordance with sub-paragraph (5).

(5) The appropriate officer may allow any of the following classes of fees to an advocate in respect of work allowed by the appropriate officer under this paragraph—

- (a) a fee for preparation including, where appropriate, the first day of the hearing including, where they took place on that day—
 - (i) short conferences;
 - (ii) consultations;
 - (iii) applications and appearances (including bail applications);
 - (iv) views at the scene of the alleged offence; and
 - (v) any other preparation;
- (b) a refresher fee for any day or part of a day for which a hearing continued, including, where they took place on that day—
 - (i) short conferences;
 - (ii) consultations;
 - (iii) applications and appearances (including bail applications);
 - (iv) views at the scene of the alleged offence; and
 - (v) any other preparation; and
- (c) subsidiary fees for—
 - (i) attendance at conferences, consultations and views at the scene of the alleged offence not covered by paragraph (a) or (b);
 - (ii) written advice on evidence, plea, appeal, case stated or other written work; and
 - (iii) attendance at applications and appearances (including bail applications and adjournments for sentence) not covered by paragraph (a) or (b).

[^{F50}(6) Sub-paragraph (7) applies where the hearing—

- (a) is an appeal from a magistrates' court;
- (b) is heard in the Crown Court; and

- (c) lasts for more than one day.
- (7) Where this sub-paragraph applies, the fee payable to the advocate—
- (a) for the first day of the hearing, is the basic fee for band 17.1, set out in the table following paragraph 5, for the category of the advocate concerned;
 - (b) for the second day, and any subsequent days, of the hearing, is the daily attendance fee for band 17.1, set out in the table following paragraph 5A, for the category of the advocate concerned.]

Textual Amendments

- F49** Words in Sch. 1 para. 20(1) substituted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **22(a)** (with reg. 34)
- F50** Sch. 1 para. 20(6)(7) inserted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **22(b)** (with reg. 34)

Fees for contempt proceedings

21.—(1) Subject to sub-paragraph (2), remuneration for advocates in proceedings referred to in section 14(g) of the Act in the Crown Court must be at the rates specified in the table following this sub-paragraph.

<i>^{F51}Category of advocate</i>	<i>Payment rates (£ per day)</i>
QC	£348
Leading Junior	£261
Junior alone or Led Junior	£175]

(2) Where an advocate and a litigator are instructed in proceedings referred to in section 14(g) of the Act, remuneration must be at the rates specified in the table following this sub-paragraph, as appropriate to the category of advocate.

<i>^{F52}Category of advocate</i>	<i>Payment rates (£ per day)</i>
QC	£204
Leading Junior	£145
Junior alone or Led Junior	£116]

Textual Amendments

- F51** Sch. 1 para. 21(1) table substituted (30.9.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2022 \(S.I. 2022/848\)](#), reg. 1(1), **Sch. 1 para. 10** (with reg. 3) (as amended (31.10.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1035\)](#), regs. 1(1), **2(1)**) (which affecting provision is amended so that the increases to certain fees apply to a wider range of cases (23.12.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1267\)](#), regs. 1(1), 3, **Sch.**)
- F52** Sch. 1 para. 21(2) table substituted (30.9.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2022 \(S.I. 2022/848\)](#), reg. 1(1), **Sch. 1 para. 11** (with reg. 3) (as amended (31.10.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1035\)](#), regs. 1(1), **2(1)**) (which affecting provision is amended so that the increases to certain fees

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apply to a wider range of cases (23.12.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1267\)](#), regs. 1(1), 3, **Sch.**)

Discontinuance or dismissal of ^{F53}... proceedings

22.—^{F54}(1) This paragraph applies to proceedings which are sent for trial to the Crown Court.]

(2) Where proceedings referred to in sub-paragraph (1) are discontinued by a notice served under section 23A of the Prosecution of Offences Act 1985 (discontinuance of proceedings after accused has been sent for trial) at any time before the prosecution serves its evidence in accordance with the Crime and Disorder Act 1998 (Service of Prosecution Evidence) Regulations 2005 ^{M5} the advocate must be paid 50% of the basic fee ^{F55}... for a guilty plea, as specified in [^{F56}Table A] following [^{F57}paragraph 7] as appropriate to the offence for which the assisted person is charged and the category of advocate.

(3) Where proceedings referred to in sub-paragraph (1) are discontinued by a notice served under section 23A of the Prosecution of Offences Act 1985 (discontinuance of proceedings after accused has been sent for trial) at any time after the prosecution serves its evidence in accordance with the Crime and Disorder Act 1998 (Service of Prosecution Evidence) Regulations 2005, the advocate must be paid a [^{F58}fee calculated in accordance with paragraph 7(a)], as appropriate for representing an assisted person in a guilty plea.

^{F59}(4)

(5) Where, at [^{F60}or before the first hearing at which the assisted person enters a plea]—

- (a) the prosecution offers no evidence and the assisted person is discharged; or
- (b) the case is remitted to the magistrates' court in accordance with paragraph 10(3)(a), 13(2) or 15(3)(a) of Schedule 3 to the Crime and Disorder Act 1998,

the advocate instructed in the proceedings must be paid a [^{F61}fee calculated in accordance with paragraph 7(a)], as appropriate for representing an assisted person in a guilty plea.

(6) Where an application for dismissal is made under paragraph 2 of Schedule 3 to the Crime and Disorder Act 1998^{F62}... the advocate must be remunerated for attendance at the hearing of the application for dismissal—

- (a) in respect of any day where the hearing begins before and ends after the luncheon adjournment, at the daily rate set out in the table following paragraph 24 as appropriate to the category of advocate; or
- (b) in respect of any day where the hearing begins and ends before the luncheon adjournment, or begins after the luncheon adjournment, at the half-daily rate set out in that table as appropriate to the category of advocate,

provided that a fee is not payable elsewhere under this Schedule in respect of any day of the hearing.

(7) Where an application for dismissal is made under paragraph 2 of Schedule 3 to the Crime and Disorder Act 1998^{F63}... and—

- (a) the charge, or charges, are dismissed and the assisted person is discharged; or
- (b) the case is remitted to the magistrates' court in accordance with paragraph 10(3)(a), 13(2) or 15(3)(a) of Schedule 3 to the Crime and Disorder Act 1998,

in respect of the first day of the hearing of the application to dismiss, the advocate instructed in the proceedings must be paid a [^{F64}fee calculated in accordance with paragraph 7(a)], as appropriate for representing an assisted person in a guilty plea.

(8) Where an advocate represents more than one assisted person in proceedings referred to in sub-paragraph (1), the advocate must be paid a fixed fee of 20% of—

- (a) the fee specified in sub-paragraph (2) where that sub-paragraph applies; or
- (b) the basic fee ^{F65}... specified in the [^{F66}tables] following [^{F67}paragraph 7] where sub-paragraph (3), (4) or (5) applies, as appropriate for the circumstances set out in the relevant sub-paragraph,

in respect of each additional assisted person the advocate represents.

Textual Amendments

- F53** Words in Sch. 1 para. 22 heading omitted (5.10.2015) by virtue of The Civil and Criminal Legal Aid (Amendment) (No.2) Regulations 2015 (S.I. 2015/1678), regs. 1(2)(a), **5(9)(a)** (with reg. 10(1))
- F54** Sch. 1 para. 22(1) substituted (5.10.2015) by The Civil and Criminal Legal Aid (Amendment) (No.2) Regulations 2015 (S.I. 2015/1678), regs. 1(2)(a), **5(9)(b)** (with reg. 10(1))
- F55** Word in Sch. 1 para. 22(2) omitted (1.4.2018) by virtue of The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018/220), regs. 1, **23(a)(i)** (with reg. 34)
- F56** Words in Sch. 1 para. 22(2) substituted (1.4.2018) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018/220), regs. 1, **23(a)(ii)** (with reg. 34)
- F57** Words in Sch. 1 para. 22(2) substituted (17.9.2020) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2020 (S.I. 2020/903), regs. 1(2), **4(14)(a)** (with reg. 7)
- F58** Words in Sch. 1 para. 22(3) substituted (17.9.2020) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2020 (S.I. 2020/903), regs. 1(2), **4(14)(b)** (with reg. 7)
- F59** Sch. 1 para. 22(4) omitted (5.10.2015) by virtue of The Civil and Criminal Legal Aid (Amendment) (No.2) Regulations 2015 (S.I. 2015/1678), regs. 1(2)(a), **5(11)(e)(i)**
- F60** Words in Sch. 1 para. 22(5) substituted (5.10.2015) by The Civil and Criminal Legal Aid (Amendment) (No.2) Regulations 2015 (S.I. 2015/1678), regs. 1(2)(a), **5(11)(e)(ii)**
- F61** Words in Sch. 1 para. 22(5) substituted (17.9.2020) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2020 (S.I. 2020/903), regs. 1(2), **4(14)(c)** (with reg. 7)
- F62** Words in Sch. 1 para. 22(6) omitted (5.10.2015) by virtue of The Civil and Criminal Legal Aid (Amendment) (No.2) Regulations 2015 (S.I. 2015/1678), regs. 1(2)(a), **5(11)(e)(iii)** (with reg. 10(1))
- F63** Words in Sch. 1 para. 22(7) omitted (5.10.2015) by virtue of The Civil and Criminal Legal Aid (Amendment) (No.2) Regulations 2015 (S.I. 2015/1678), regs. 1(2)(a), **5(10)(a)** (with reg. 10(1))
- F64** Words in Sch. 1 para. 22(7) substituted (17.9.2020) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2020 (S.I. 2020/903), regs. 1(2), **4(14)(d)** (with reg. 7)
- F65** Word in Sch. 1 para. 22(8)(b) omitted (1.4.2018) by virtue of The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018/220), regs. 1, **23(b)(i)** (with reg. 34)
- F66** Word in Sch. 1 para. 22(8)(b) substituted (1.4.2018) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2018 (S.I. 2018/220), regs. 1, **23(b)(ii)** (with reg. 34)
- F67** Words in Sch. 1 para. 22(8)(b) substituted (17.9.2020) by The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2020 (S.I. 2020/903), regs. 1(2), **4(14)(e)** (with reg. 7)

Marginal Citations

- M5** S.I. 2005/902 as amended by S.I. 2012/1345.

Noting brief fees

23. The fee payable to an advocate retained solely for the purpose of making a note of any hearing must be the daily fee set out in the table following paragraph 24.

Status: Point in time view as at 01/02/2023.

Changes to legislation: There are currently no known outstanding effects for the The Criminal Legal Aid (Remuneration) Regulations 2013, PART 5. (See end of Document for details)

Fixed fees

24. The table following this paragraph sets out the fixed fees payable in relation to the category of work specified in the first column of the table.

[^{F68}Fixed fees

<i>Category of work</i>	<i>Paragraph providing for fee</i>	<i>Junior Alone or Led Junior</i>	<i>Leading Junior</i>	<i>Queen's Counsel</i>
Standard Appearance	12(2)	£105 per day	£156 per day	£209 per day
Abuse of process hearing	13(1)(a) and (3)	£276 full day	£401 full day	£577 full day
		£151 half day	£227 half day	£302 half day
Hearings relating to disclosure	13(1)(b), (c) and (3)	£276 full day	£401 full day	£577 full day
		£151 half day	£227 half day	£302 half day
Hearings relating to the admissibility of evidence	13(1)(d) and (3)	£276 full day	£401 full day	£577 full day
		£151 half day	£227 half day	£302 half day
Ground rules hearings	13(1)(da) and (3)	£276 full day	£401 full day	£577 full day
		£151 half day	£227 half day	£302 half day
Hearings withdrawal of guilty plea	13(1)(e) and (3)	£276 full day	£401 full day	£577 full day
		£151 half day	£227 half day	£302 half day
Sentencing hearing	15	£145 per day	£221 per day	£291 per day
Deferred sentencing hearing	15(2)	£201 per day	£276 per day	£376 per day
Ineffective hearing	trial 16	£437 per day	£437 per day	£437 per day
Special preparation	17	£45.30 per hour	£65.04 per hour	£85.95 per hour
Consideration of unused material in excess of three hours	17A(3)	£45.30 per hour	£65.04 per hour	£85.95 per hour
Wasted preparation	18	£45.30 per hour	£65.04 per hour	£85.95 per hour
Conferences and views	and 19	£46.46 per hour	£69.69 per hour	£92.92 per hour
Further management hearing	case 19A	£116 per day	£175 per day	£232 per day

<i>Category of work</i>	<i>Paragraph providing for fee</i>	<i>Junior Alone or Led Junior</i>	<i>Leading Junior</i>	<i>Queen's Counsel</i>
Plea and trial preparation hearing	19A	£145 per day	£221 per day	£291 per day
Appeals to the Crown Court against sentence	20	£288 per day	£429 per day	£573 per day
Appeals to the Crown Court against conviction	20	£380 per day	£570 per day	£760 per day
Proceedings relating to the breach of an order of the Crown Court	20(1)	£125 per day	£176 per day	£251 per day
Committal sentence for	20(1) and (2)	£175 per day	£261 per day	£348 per day
Adjourned appeals, committals for sentence and breach hearings	20(2)	£101 per day	£151 per day	£201 per day
Bail applications, mentions and other applications in appeal, committals for sentence and breach hearings	20(3)	£101 per day	£151 per day	£201 per day
Second and subsequent days of an application to dismiss	22(6)	£276 full day £151 half day	£401 full day £227 half day	£577 full day £302 half day
Noting brief	23	£125 per day	£125 per day	£125 per day
Hearing for mitigation of sentence	34	£125 per day	£201 per day	£302 per day]

Textual Amendments

F68 Sch. 1 para. 24 table substituted (30.9.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2022 \(S.I. 2022/848\)](#), reg. 1(1), **Sch. 1 para. 12** (with reg. 3) (as amended (31.10.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1035\)](#), regs. 1(1), **2(1)**) (which affecting provision is amended so that the increases to certain fees apply to a wider range of cases (23.12.2022) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) \(No. 2\) Regulations 2022 \(S.I. 2022/1267\)](#), regs. 1(1), 3, **Sch.**)

Status: Point in time view as at 01/02/2023.

Changes to legislation: There are currently no known outstanding effects for the The Criminal Legal Aid (Remuneration) Regulations 2013, PART 5. (See end of Document for details)

[^{F69}Warrant for arrest

24A.—(1) This paragraph applies where—

- (a) the assisted person fails to attend a hearing;
- (b) at that hearing the court issues a warrant for the arrest of the assisted person under section 7(1) (liability to arrest for absconding or breaking conditions of bail) of the Bail Act 1976 (“the warrant”); and
- (c) the case does not proceed in the absence of the assisted person.

(2) Where in a case on indictment the warrant is not executed within three months of the date on which it was issued, the fee payable to the advocate is the fee for a guilty plea set out in Table A following [^{F70}paragraph 7] which corresponds with the band within which the offence concerned falls and the category of the advocate concerned.

(3) Where the warrant is issued during the course of proceedings referred to in paragraph 20, the fee payable to the advocate is the fee which corresponds with the category of work, and the category of the advocate concerned, which is set out in the table following paragraph 24.

(4) Sub-paragraph (5) applies where—

- (a) a fee has been paid, or is payable, to the advocate in accordance with sub-paragraph (2);
- (b) the warrant is executed within 15 months of the date on which it was issued;
- (c) the case proceeds after the warrant has been executed; and
- (d) the advocate submits a claim for fees for the determination of the advocate’s overall remuneration in the case, in accordance with regulation 4.

(5) Where this sub-paragraph applies—

- (a) the appropriate officer must deduct the amount paid or payable in accordance with sub-paragraph (2) from the amount payable to the advocate on the final determination of fees in the case; and
- (b) if the fee paid or payable in accordance with sub-paragraph (2) is greater than the amount payable to the advocate on the final determination of fees in the case, the appropriate officer may recover the amount of the difference by way of repayment by the advocate.]

Textual Amendments

F69 Sch. 1 para. 24A inserted (1.4.2018) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2018 \(S.I. 2018/220\)](#), regs. 1, **25** (with reg. 34)

F70 Words in Sch. 1 para. 24A(2) substituted (17.9.2020) by [The Criminal Legal Aid \(Remuneration\) \(Amendment\) Regulations 2020 \(S.I. 2020/903\)](#), regs. 1(2), **4(16)** (with reg. 7)

Status:

Point in time view as at 01/02/2023.

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Legal Aid (Remuneration) Regulations 2013, PART 5.