

**2017 No. 1019**

**LEGAL AID AND ADVICE, ENGLAND AND WALES**

**The Criminal Legal Aid (Remuneration) (Amendment)  
Regulations 2017**

<i>Made</i> - - - -	<i>23rd October 2017</i>
<i>Laid before Parliament</i>	<i>24th October 2017</i>
<i>Coming into force</i> - -	<i>1st December 2017</i>

The Lord Chancellor makes the following Regulations(a) in exercise of the powers conferred by sections 2(3), 41(1) to 41(3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(b).

**Citation and commencement**

1. These Regulations may be cited as the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2017 and come into force on 1st December 2017.

**Amendments to the Criminal Legal Aid (Remuneration) Regulations 2013**

2.—(1) Schedule 2 to the Criminal Legal Aid (Remuneration) Regulations 2013 (Litigators' Graduated Fee Scheme)(c) is amended as follows.

(2) In paragraph 2(7) (application)(d), in both places it appears, for “10,000” substitute “6,000”.

(3) For the tables following paragraph 8(2) (table of final fees in cracked trials and table of final fees in guilty pleas)(e) substitute the following—

**“Table of final fees in cracked trials**

<i>Class of Offence</i>	<i>PPE Range</i>	<i>Initial Fee (£)</i>	<i>Incremental fee per page of prosecution evidence (£)</i>
A	0-79	904.58	0
A	80-249	904.58	10.70
A	250-999	2,722.89	6.71
A	1000-2799	7,757.90	3.92
A	2800-4599	14,820.75	3.92

(a) Section 42(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) provides that in Part 1 of that Act “regulations” means regulations made by the Lord Chancellor.

(b) 2012 c. 10.

(c) S.I. 2013/435.

(d) Paragraph 2 was amended by S.I. 2015/1678.

(e) Amended by S.I. 2014/415 and 2016/313.

A	4600-5999	21,883.61	3.11
A	6000	26,237.61	0
B	0-69	709.15	0
B	70-249	709.15	7.83
B	250-999	2,117.67	3.66
B	1000-2799	4,864.56	2.44
B	2800-4599	9,255.51	2.44
B	4600-5999	13,646.46	2.05
B	6000	16,516.46	0
C	0-39	524.84	0
C	40-249	524.84	3.92
C	250-999	1,348.77	2.25
C	1000-2799	3,033.06	1.43
C	2800-4599	5,607.48	1.43
C	4600-5999	8,181.89	1.43
C	6000	10,183.89	0
D	0-79	859.35	0
D	80-249	859.35	10.14
D	250-999	2,582.50	6.11
D	1000-2799	7,163.76	3.61
D	2800-4599	13,655.74	3.61
D	4600-5999	20,147.71	2.96
D	6000	24,291.71	0
E	0-39	233.03	0
E	40-249	233.03	4.60
E	250-999	1,199.43	1.46
E	1000-2799	2,291.54	0.61
E	2800-4599	3,390.26	0.61
E	4600-5999	4,488.97	0.61
E	6000	5,342.97	0
F	0-49	224.22	0
F	50-249	224.22	4.42
F	250-999	1,107.53	1.79
F	1000-2799	2,450.39	0.70
F	2800-4599	3,704.67	0.70
F	4600-5999	4,958.94	0.70
F	6000	5,938.94	0
G	0-49	224.22	0
G	50-249	224.22	4.42
G	250-999	1,107.53	1.79
G	1000-2799	2,450.39	0.70
G	2800-4599	3,704.67	0.70
G	4600-5999	4,958.94	0.70
G	6000	5,938.94	0
H	0-39	237.00	0
H	40-249	237.00	4.26
H	250-999	1,131.61	1.56
H	1000-2799	2,298.20	0.70
H	2800-4599	3,550.79	0.70
H	4600-5999	4,803.37	0.70
H	6000	5,783.37	0
I	0-39	253.68	0
I	40-249	253.68	5.92

I	250-999	1,496.80	2.31
I	1000-2799	3,231.91	0.90
I	2800-4599	4,847.36	0.90
I	4600-5999	6,462.79	0.90
I	6000	7,722.79	0
J	0-79	904.58	0
J	80-249	904.58	10.70
J	250-999	2,722.89	6.71
J	1000-2799	7,757.90	3.92
J	2800-4599	14,820.75	3.92
J	4600-5999	21,883.61	3.11
J	6000	26,237.61	0
K	0-119	773.86	0
K	120-249	773.86	6.55
K	250-999	1,624.85	5.02
K	1000-2799	5,388.98	4.39
K	2800-4599	13,299.04	4.39
K	4600-5999	21,209.12	3.75
K	6000	26,459.12	0

**Table of final fees in guilty pleas**

<i>Class of Offence</i>	<i>PPE Range</i>	<i>Initial Fee (£)</i>	<i>Incremental fee per page of prosecution evidence (£)</i>
A	0-79	680.39	0
A	80-399	680.39	5.62
A	400-999	2,478.29	2.96
A	1000-2799	4,256.09	1.89
A	2800-4599	7,666.89	1.89
A	4600-5999	11,077.68	1.12
A	6000	12,645.68	0
B	0-69	556.11	0
B	70-399	556.11	4.52
B	400-999	2,046.59	2.28
B	1000-2799	3,411.75	1.45
B	2800-4599	6,025.92	1.45
B	4600-5999	8,640.11	1.06
B	6000	10,124.11	0
C	0-39	442.91	0
C	40-399	442.91	2.66
C	400-999	1,401.88	1.46
C	1000-2799	2,276.27	0.79
C	2800-4599	3,699.93	0.79
C	4600-5999	5,123.61	0.79
C	6000	6,229.61	0
D	0-79	646.36	0
D	80-399	646.36	5.23
D	400-999	2,320.66	2.75
D	1000-2799	3,968.37	1.71
D	2800-4599	7,046.20	1.71
D	4600-5999	10,124.03	1.06
D	6000	11,608.03	0

E	0-39	184.70	0
E	40-399	184.70	2.92
E	400-999	1,237.24	1.25
E	1000-2799	1,989.07	0.46
E	2800-4599	2,819.70	0.46
E	4600-5999	3,650.33	0.46
E	6000	4,294.33	0
F	0-49	195.81	0
F	50-399	195.81	2.83
F	400-999	1,187.73	0.99
F	1000-2799	1,781.21	0.32
F	2800-4599	2,354.07	0.32
F	4600-5999	2,926.93	0.32
F	6000	3,374.93	0
G	0-49	195.81	0
G	50-399	195.81	2.83
G	400-999	1,187.73	0.99
G	1000-2799	1,781.21	0.32
G	2800-4599	2,354.07	0.32
G	4600-5999	2,926.93	0.32
G	6000	3,374.93	0
H	0-39	190.97	0
H	40-399	190.97	2.79
H	400-999	1,196.59	0.99
H	1000-2799	1,790.74	0.32
H	2800-4599	2,359.85	0.32
H	4600-5999	2,928.98	0.32
H	6000	3,376.98	0
I	0-39	174.60	0
I	40-399	174.60	3.12
I	400-999	1,298.52	1.36
I	1000-2799	2,116.29	0.51
I	2800-4599	3,033.02	0.51
I	4600-5999	3,949.75	0.51
I	6000	4,663.75	0
J	0-79	680.39	0
J	80-399	680.39	5.62
J	400-999	2,478.29	2.96
J	1000-2799	4,256.09	1.89
J	2800-4599	7,666.89	1.89
J	4600-5999	11,077.68	1.12
J	6000	12,645.68	0
K	0-119	640.84	0
K	120-399	640.84	5.26
K	400-999	2,113.13	2.93
K	1000-2799	3,869.24	2.73
K	2800-4599	8,775.55	2.73
K	4600-5999	13,681.86	2.08
K	6000	16,593.86	0".

(4) For the table following paragraph 9(2) (table of final fees in trials)(a) substitute the following—

**“Table of final fees in trials**

<i>Class of Offence</i>	<i>PPE Range</i>	<i>Initial Fee(£)</i>	<i>Incremental fee per page of prosecution evidence(£)</i>
A	0-79	1,467.58	0
A	80-209	1,467.58	16.58
A	210-699	3,622.54	12.66
A	700-1049	9,824.91	10.62
A	1050-1999	13,543.42	9.21
A	2000-3599	22,295.42	8.42
A	3600-5199	35,767.03	8.42
A	5200-5999	49,238.64	8.42
A	6000	55,974.64	0
B	0-69	1,097.66	0
B	70-199	1,097.66	12.81
B	200-499	2,762.60	11.44
B	500-899	6,195.38	9.63
B	900-1299	10,048.21	8.09
B	1300-1999	13,285.03	7.09
B	2000-3299	18,249.51	7.09
B	3300-4999	27,469.24	7.09
B	5000-5999	39,525.82	7.09
B	6000	46,617.93	0
C	0-39	739.59	0
C	40-299	739.59	10.57
C	300-799	3,486.54	9.23
C	800-1249	8,101.74	7.73
C	1250-1999	11,578.09	6.83
C	2000-3199	16,700.93	4.72
C	3200-4559	22,368.79	4.72
C	4560-5919	28,792.38	4.72
C	5920-5999	35,215.96	4.72
C	6000	35,593.56	0
D	0-79	1,394.20	0
D	80-209	1,394.20	15.75
D	210-699	3,441.41	12.03
D	700-1049	9,333.67	10.09
D	1050-1999	12,866.25	8.75
D	2000-3599	21,180.65	8.00
D	3600-5199	33,978.67	8.00
D	5200-5999	46,776.70	8.00
D	6000	53,176.70	0
E	0-39	352.72	0
E	40-69	352.72	9.52
E	70-129	638.20	8.57
E	130-599	1,152.58	8.29

(a) Amended by S.I. 2016/313.

E	600-1349	5,049.74	5.44
E	1350-2999	9,131.96	2.39
E	3000-4749	13,072.77	2.39
E	4750-5999	17,252.41	2.39
E	6000	20,239.91	0
F	0-49	357.60	0
F	50-229	357.60	7.31
F	230-699	1,673.21	6.96
F	700-1399	4,946.64	5.60
F	1400-1949	8,865.80	4.32
F	1950-3549	11,242.37	2.16
F	3550-5149	14,691.41	2.16
F	5150-5999	18,140.45	2.16
F	6000	19,976.45	0
G	0-49	357.60	0
G	50-229	357.60	7.31
G	230-699	1,673.21	6.96
G	700-1399	4,946.64	5.60
G	1400-1949	8,865.80	4.32
G	1950-3549	11,242.37	2.16
G	3550-5149	14,691.41	2.16
G	5150-5999	18,140.45	2.16
G	6000	19,976.45	0
H	0-39	357.75	0
H	40-249	357.75	8.60
H	250-619	2,162.92	7.15
H	620-1299	4,807.79	5.31
H	1300-2999	8,418.74	4.21
H	3000-4999	15,583.59	2.27
H	5000-5999	20,129.84	2.27
H	6000	22,402.90	0
I	0-39	357.44	0
I	40-369	357.44	9.14
I	370-799	3,373.66	9.09
I	800-1299	7,282.43	8.99
I	1300-2699	11,779.02	7.08
I	2700-4199	21,697.63	3.04
I	4200-5359	26,264.52	3.04
I	5360-5999	29,796.25	3.04
I	6000	31,741.85	0
J	0-79	1,467.58	0
J	80-209	1,467.58	16.58
J	210-699	3,622.54	12.66
J	700-1049	9,824.91	10.62
J	1050-1999	13,543.42	9.21
J	2000-3599	22,295.42	8.42
J	3600-5199	35,767.03	8.42
J	5200-5999	49,238.64	8.42
J	6000	55,974.64	0
K	0-119	1,031.82	0
K	120-734	1,031.82	8.66
K	735-1289	6,356.06	8.72
K	1290-2399	11,193.67	8.87

K	2400-4499	21,042.53	8.84
K	4500-5999	39,605.74	8.84
K	6000	52,865.74	0".

(5) In paragraph 20(1)(b) (fees for special preparation), for “10,000” substitute “6,000”.

### **Transitional provision**

3. The amendments made by these Regulations do not apply to matters in which a determination under section 16 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (representation for criminal proceedings) is made before 1st December 2017.

23rd October 2017

*Dominic Raab*  
Minister of State  
Ministry of Justice

### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

This instrument amends Schedule 2 to the Criminal Legal Aid (Remuneration) Regulations 2013 (S.I. 2013/435) (the “Remuneration Regulations”). The Remuneration Regulations provide for the remuneration of advice, assistance and representation made available under sections 13, 15 and 16 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10) (“LASPO”). Schedule 2 contains the Litigators’ Graduated Fee Scheme, which governs the fees payable to providers of criminal litigation services in the Crown Court that are made available to an individual in criminal proceedings as a result of a determination under section 16 of LASPO that the individual is eligible for legal aid.

Litigators are paid a single fee, known as a graduated fee, for dealing with a criminal legal aid case. This fee is calculated principally by reference to the number of pages served by the prosecution as evidence (Pages of Prosecution Evidence or “PPE”), subject to a cut-off threshold. If the PPE exceeds the threshold, paragraph 20 of Schedule 2 to the Remuneration Regulations provides that a claim may be made for “special preparation”, which is an additional fee based on the time reasonably taken to consider the evidence exceeding the cut-off threshold.

Regulation 2 amends Schedule 2 to the Remuneration Regulations to reduce the cut-off threshold from 10,000 to 6,000 PPE. It also substitutes three tables relating to fees for cracked trials, guilty pleas and trials to reflect the new threshold.

Regulation 3 provides that these Regulations do not apply to services provided as a result of a determination under section 16 of LASPO that was made before these Regulations came into force.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Ministry of Justice, 102 Petty France, London, SW1H 9AJ and is published with an Explanatory Memorandum alongside the instrument on <https://legislation.gov.uk>.

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