

STATUTORY INSTRUMENTS

**2023 No. 1177**

**The Civil Legal Aid (Financial Resources and Payment for Services and Remuneration) (Amendment) Regulations 2023**

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

3.—(1) The Civil Legal Aid (Remuneration) Regulations 2013<sup>(1)</sup> are amended as follows.

(2) In regulation 7—

(a) at the beginning of paragraphs (4) and (4A), in both places it appears, for “Where”, substitute “Subject to paragraph (4B), where”;

(b) after paragraph (4A) insert—

“(4B) In a case where a barrister in independent practice, who is not a King’s Counsel provides services described in paragraph 31C of Part 1 of Schedule 1 to the Act, not listed in Table 3 or 4 in Schedule 2, in considering the rate at which to remunerate the barrister for the services provided, the Lord Chancellor must have regard to the rates in Table 3, and the provisions relating to enhancement under paragraphs (3) to (3B).”.

(3) In Schedule 1, Part 3, at the end of the heading in Table 10(a) insert “(except as in Table 10(d))” and in the heading in Table 10(b) for “(except as in Table 10(a))” substitute “(except as in Table 10(a) or 10(d))”.

(4) In Schedule 1, Part 3, after Table 10(c) (First-tier Tribunal) insert—

**“Table 10(d): Civil legal services under paragraph 31C of Part 1 of Schedule 1 to the Act: Removal notices under the Illegal Migration Act 2023**

<i>Activity</i>	<i>Higher Courts</i>
Routine letters out	£7.76 per item
Routine telephone calls	£4.30 per item
Preparation and attendance (London rate)	£82.28 per hour
Preparation and attendance (non-London rate)	£77.63 per hour
Attendance at court or conference with Counsel	£38.30 per hour
Advocacy	£77.63 per hour
Travelling and waiting time	£34.42 per hour”.

(5) In Schedule 2, after Table 2, insert—

<sup>(1)</sup> S.I. 2013/422 as amended by S.I. 2013/2877, S.I. 2014/7, S.I. 2014/586, S.I. 2014/1824, S.I. 2015/325, S.I. 2015/898, S.I. 2015/1678, S.I. 2016/983, S.I. 2018/803, S.I. 2020/1001 and S.I. 2022/1379.

---

*Status: This is the original version (as it was originally made).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

---

**“Table 3: Rates in the Upper Tribunal other than for King’s Counsel - civil legal services under paragraph 31C of Part 1 of Schedule 1 to the Act: Removal notices under the Illegal Migration Act 2023**

<i>Category</i>	<i>Hourly rate</i>
Preparation and attendance	£82.28 (London rate) £77.63 (Non-London rate)
Attendance at court or conference	£38.30
Advocacy	£77.63
Travel and waiting	£34.42

**Table 4: Rates in the Court of Appeal or Supreme Court and for King’s Counsel (in any court) - civil legal services under paragraph 31C of Part 1 of Schedule 1 of the Act: Removal notices under the Illegal Migration Act 2023**

<i>Category</i>	<i>Hourly Rate</i>
Led junior counsel in the Court of Appeal or Supreme Court	£129.38
Leading senior counsel in the Court of Appeal	£181.13
King’s Counsel (where approved for briefing or instruction by the Lord Chancellor) in the Upper Tribunal or Court of Appeal	£207.00
Leading senior counsel in the Supreme Court	£207.00
King’s Counsel (where approved for briefing or instruction by the Lord Chancellor) in the Supreme Court	£258.75
Noter/Pupil/2nd led junior counsel in the Court of Appeal or Supreme Court	£41.40”.