

2015 No. 215

LEGAL AID AND ADVICE

**The Legal Aid for Crown Court Proceedings (Costs)
(Amendment) Rules (Northern Ireland) 2015**

Made - - - - *13th April 2015*

Coming into operation - *5th May 2015*

The Department of Justice makes the following Rules in exercise of the powers conferred by Article 36(3) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(a), and now vested in it(b).

In accordance with Article 36(3) of that Order, the Department has consulted with the Lord Chief Justice, the Attorney General and the Crown Court Rules Committee and it has obtained the approval of the Department of Finance and Personnel.

In accordance with Article 37 of that Order, the Department has had regard to the matters specified in that Article.

Citation, commencement and application

1. These Rules may be cited as the Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2015 and shall come into operation on 5th May 2015.

2. In these Rules a reference to a rule or Schedule by number alone is a reference to the rule or Schedule so numbered in or to the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005(c).

3.—(1) Without prejudice to paragraph (2), these Rules apply for the determination of costs which are payable in respect of work done under a criminal aid certificate granted under Article 29, or deemed to have been granted under Article 36(2), of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 on or after 5th May 2015.

(2) Rules 4 and 12(n) of these Rules also apply for the determination of costs which are payable in respect of work done under a criminal aid certificate granted under Article 29, or deemed to have been granted under Article 36(2), of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 before 5th May 2015 where the costs remain to be determined by the Department of Justice under rule 8 or 11, as applicable.

(a) S.I. 1981/228 (N.I. 8)

(b) S.I. 1982/159 and S.I. 2010/976

(c) S.R. 2005 No. 112, which was amended by S.R. 2009 No. 267, S.R. 2011 No. 152 and S.R. 2013 No. 293

Amendments to the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005

4. The Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005 are amended as follows.

5.—(1) In each place where it appears, for the term “the Commission” substitute the term “the Department”.

(2) In each place where it appears, for the term “Guilty Plea 1 Fee” substitute the term “Guilty Plea Fee”.

6. Subject to rules 9 and 12(h) and (i)(i) of these Rules, in each place where it appears, for the term “Guilty Plea 2 Fee” substitute the term “Trial Preparation Fee”.

7. In rule 2—

(a) omit the definition of “the Commission”;

(b) for the definition of “main hearing”, substitute—

““main hearing” means—

(a) in relation to a case which goes to trial, the trial,

(b) in relation to a case where a Trial Preparation Fee is payable to counsel, the hearing at which pleas are taken or, where there is more than one such hearing, the last such hearing, and

(c) in relation to any proceedings specified in paragraph 2 of Schedule 1, the final hearing”.

8. In rule 7(1), omit “or within three months of his receipt of a copy of the certificate, whichever is the later”.

9. In rule 8(3)(a), omit “or Guilty Plea 2 Fee, as applicable”.

10. In rule 10(1), omit “or within three months of his receipt of a copy of the certificate, whichever is the later”.

11. In rule 20, for paragraph (5), substitute—

“In paragraph (2) “review period” means the period of three years beginning with 5th May 2015 and each subsequent period of three years.”.

12. In Schedule 1—

(a) in paragraph 3(2), omit the words “at the first arraignment”;

(b) in paragraph 3(3), after “shall be payable” insert “to counsel”;

(c) in paragraph 4, after “and” insert “, subject to paragraph 4A,”;

(d) after paragraph 4, insert—

“4A.—(1) This paragraph applies to the following offences—

(a) causing death by dangerous driving, contrary to Article 9 of the Road Traffic (Northern Ireland) Order 1995(a);

(b) causing death by careless driving while under the influence of drink or drugs, contrary to Article 14 of the Road Traffic (Northern Ireland) Order 1995;

(c) aggravated vehicle taking resulting in death, contrary to Article 172B of the Road Traffic (Northern Ireland) Order 1981(b).

(a) S.I. 1995/2994 (N.I. 18)

(b) S.I. 1981/154 (N.I. 1)

(2) Notwithstanding the provisions in paragraphs 4 and 5(1)(a), for the purpose of this Schedule, the offences listed in sub-paragraph (1) shall be deemed to fall within Class D, rather than Class B, in the Table of Offences.”;

(e) following paragraph 7, for the Tables of Basic Trial Fees, substitute the following Tables—

“**SOLICITOR**

<i>Offence falling within</i>	<i>PPE Range</i>	<i>Actual Duration of Trial</i>		
		<i>Trial Fee 1 1 to 8 days</i>	<i>Trial Fee 2 9 to 16 days</i>	<i>Trial Fee 3 17 to 80 days</i>
Class A	1 – 750	£4,153	£5,524	£8,266
Class A	751 – 3,000	£6,419	£7,790	£10,532
Class A	3,001 – 4,430	£8,685	£10,056	£12,798
Class B	1 – 687	£1,494	£2,151	£3,140
Class B	688 – 1,462	£2,390	£3,047	£4,036
Class B	1,463 – 2,237	£3,286	£3,943	£4,932
Class C	1 – 714	£915	£1,309	£1,898
Class C	715 – 1,262	£1,510	£1,904	£2,493
Class C	1,263 – 1,809	£2,105	£2,499	£3,088
Class D	1 – 733	£2,313	£3,469	£4,614
Class D	734 – 1,631	£3,694	£4,851	£5,996
Class D	1,632 – 2,229	£5,076	£6,233	£7,377
Class E	1 – 750	£915	£1,309	£1,898
Class E	751 – 1,636	£1,510	£1,904	£2,493
Class E	1,637 – 2,521	£2,105	£2,499	£3,088
Class F	1 – 677	£1,060	£1,516	£2,198
Class F	678 – 1,225	£1,696	£2,152	£2,834
Class F	1,226 – 1,773	£2,332	£2,788	£3,470
Class G	1 – 750	£1,734	£2,602	£3,461
Class G	751 – 1,750	£2,775	£3,642	£4,501
Class G	1,751 – 2,750	£3,816	£4,683	£5,542
Class H	1 – 750	£915	£1,309	£1,898
Class H	751 – 1,443	£1,510	£1,904	£2,493
Class H	1,444 – 2,135	£2,105	£2,499	£3,088
Class I	1 – 870	£915	£1,309	£1,898
Class I	871 – 1,606	£1,510	£1,904	£2,493
Class I	1607 – 2,341	£2,105	£2,499	£3,088

COUNSEL

<i>Queen's Counsel</i>										
<i>Actual Duration of Trial</i>										
<i>Offence falling within</i>	<i>Trial Fee 1</i>	<i>Trial Fee 2</i>	<i>Trial Fee 3</i>	<i>Trial Fee 4</i>	<i>Trial Fee 5</i>	<i>Trial Fee 6</i>	<i>Trial Fee 7</i>	<i>Trial Fee 8</i>	<i>Trial Fee 9</i>	<i>Trial Fee 10</i>
	<i>1 to 8 days</i>	<i>9 to 16 days</i>	<i>17 to 24 days</i>	<i>25 to 32 days</i>	<i>33 to 40 days</i>	<i>41 to 48 days</i>	<i>49 to 56 days</i>	<i>57 to 64 days</i>	<i>65 to 72 days</i>	<i>73 to 80 days</i>
Class A	£6,000	£8,000	£12,000	£16,000	£20,000	£28,000	£36,000	£48,000	£60,000	£72,000
Class B	£2,138	£3,074	£4,477	£5,969	£7,461	£10,446	£13,434	£17,907	£22,384	£26,861
Class C	£1,871	£2,673	£3,875	£5,167	£6,458	£9,041	£11,627	£15,499	£19,374	£23,249
Class D	£4,000	£6,000	£8,000	£12,000	£15,000	£21,000	£27,000	£36,000	£44,999	£53,999
Class E	£1,871	£2,673	£3,875	£5,167	£6,458	£9,041	£11,627	£15,499	£19,374	£23,249
Class F	£1,871	£2,673	£3,875	£5,167	£6,458	£9,041	£11,627	£15,499	£19,374	£23,249
Class G	£2,673	£4,009	£5,345	£7,126	£8,908	£12,741	£16,038	£21,379	£26,724	£32,068
Class H	£1,871	£2,673	£3,875	£5,167	£6,458	£9,041	£11,627	£15,499	£19,374	£23,249
Class I	£1,871	£2,673	£3,875	£5,167	£6,458	£9,041	£11,627	£15,499	£19,374	£23,249

Leading Junior Counsel

<i>Offence falling within</i>	<i>Actual Duration of Trial</i>									
	<i>Trial Fee 1 1 to 8 days</i>	<i>Trial Fee 2 9 to 16 days</i>	<i>Trial Fee 3 17 to 24 days</i>	<i>Trial Fee 4 25 to 32 days</i>	<i>Trial Fee 5 33 to 40 days</i>	<i>Trial Fee 6 41 to 48 days</i>	<i>Trial Fee 7 49 to 56 days</i>	<i>Trial Fee 8 57 to 64 days</i>	<i>Trial Fee 9 65 to 72 days</i>	<i>Trial Fee 10 73 to 80 days</i>
Class A	£4,500	£6,000	£9,000	£12,000	£15,000	£21,000	£27,000	£36,000	£45,000	£54,000
Class B	£1,604	£2,305	£3,358	£4,477	£5,597	£7,835	£10,076	£13,431	£16,789	£20,147
Class C	£1,403	£2,005	£2,907	£3,876	£4,845	£6,783	£8,723	£11,627	£14,534	£17,441
Class D	£3,000	£4,500	£6,000	£9,000	£11,250	£15,750	£20,250	£27,000	£33,750	£40,500
Class E	£1,403	£2,005	£2,907	£3,876	£4,845	£6,783	£8,723	£11,627	£14,534	£17,441
Class F	£1,403	£2,005	£2,907	£3,876	£4,845	£6,783	£8,723	£11,627	£14,534	£17,441
Class G	£2,005	£3,007	£4,009	£5,345	£6,681	£9,354	£12,029	£16,035	£20,044	£24,053
Class H	£1,403	£2,005	£2,907	£3,876	£4,845	£6,783	£8,723	£11,627	£14,534	£17,441
Class I	£1,403	£2,005	£2,907	£3,876	£4,845	£6,783	£8,723	£11,627	£14,534	£17,441

Led Junior Counsel

<i>Offence falling within</i>	<i>Actual Duration of Trial</i>									
	<i>Trial Fee 1 1 to 8 days</i>	<i>Trial Fee 2 9 to 16 days</i>	<i>Trial Fee 3 17 to 24 days</i>	<i>Trial Fee 4 25 to 32 days</i>	<i>Trial Fee 5 33 to 40 days</i>	<i>Trial Fee 6 41 to 48 days</i>	<i>Trial Fee 7 49 to 56 days</i>	<i>Trial Fee 8 57 to 64 days</i>	<i>Trial Fee 9 65 to 72 days</i>	<i>Trial Fee 10 73 to 80 days</i>
Class A	£3,600	£4,800	£7,200	£9,600	£12,000	£16,800	£21,600	£28,800	£36,000	£43,200
Class B	£1,283	£1,844	£2,686	£3,581	£4,477	£6,267	£8,060	£10,743	£13,429	£16,115
Class C	£935	£1,336	£1,938	£2,584	£3,230	£4,522	£5,815	£7,752	£9,689	£11,627
Class D	£2,000	£3,000	£4,000	£6,000	£7,500	£10,500	£13,500	£18,000	£22,500	£27,000
Class E	£935	£1,336	£1,938	£2,584	£3,230	£4,522	£5,815	£7,752	£9,689	£11,627
Class F	£935	£1,336	£1,938	£2,584	£3,230	£4,522	£5,815	£7,752	£9,689	£11,627
Class G	£1,336	£2,005	£2,673	£3,564	£4,455	£6,237	£8,021	£10,691	£13,364	£16,037
Class H	£935	£1,336	£1,938	£2,584	£3,230	£4,522	£5,815	£7,752	£9,689	£11,627
Class I	£935	£1,336	£1,938	£2,584	£3,230	£4,522	£5,815	£7,752	£9,689	£11,627

Sole Junior Counsel

<i>Offence falling within</i>	<i>Actual Duration of Trial</i>									
	<i>Trial Fee 1 1 to 8 days</i>	<i>Trial Fee 2 9 to 16 days</i>	<i>Trial Fee 3 17 to 24 days</i>	<i>Trial Fee 4 25 to 32 days</i>	<i>Trial Fee 5 33 to 40 days</i>	<i>Trial Fee 6 41 to 48 days</i>	<i>Trial Fee 7 49 to 56 days</i>	<i>Trial Fee 8 57 to 64 days</i>	<i>Trial Fee 9 65 to 72 days</i>	<i>Trial Fee 10 73 to 80 days</i>
Class A	£3,900	£5,200	£7,800	£10,400	£13,000	£18,200	£23,400	£31,200	£39,000	£46,800
Class B	£1,390	£1,998	£2,910	£3,880	£4,850	£6,790	£8,732	£11,639	£14,549	£17,459
Class C	£1,216	£1,737	£2,519	£3,359	£4,198	£5,878	£7,558	£10,075	£12,594	£15,113
Class D	£2,600	£3,900	£5,200	£7,800	£9,750	£13,650	£17,550	£23,400	£29,250	£35,100
Class E	£1,216	£1,737	£2,519	£3,359	£4,198	£5,878	£7,558	£10,075	£12,594	£15,113
Class F	£1,216	£1,737	£2,519	£3,359	£4,198	£5,878	£7,558	£10,075	£12,594	£15,113
Class G	£1,737	£2,606	£3,474	£4,632	£5,790	£8,106	£10,424	£13,895	£17,369	£20,843
Class H	£1,216	£1,737	£2,519	£3,359	£4,198	£5,878	£7,558	£10,075	£12,594	£15,113
Class I	£1,216	£1,737	£2,519	£3,359	£4,198	£5,878	£7,558	£10,075	£12,594	£15,113 ²²

- (f) after the Tables of Basic Trial Fees and Refresher Fees following paragraph 7, insert—
- “7.—(1) This paragraph applies where a fee is payable to a solicitor under this Part.
- (2) Where the PPE Range exceeds the upper limit specified in the Table of Basic Trial Fees payable to a solicitor, as appropriate to the Class of Offence involved, an additional fee shall be payable to the solicitor of £1 per each additional page.”;
- (g) omit paragraph 8(1) and (2);
- (h) in paragraph 8(3), for “a Guilty Plea 2 Fee” substitute “a Guilty Plea Fee or a Trial Preparation Fee”;
- (i) in paragraph 8(4)—
- (i) for “the Guilty Plea 2 Fee” substitute “the Guilty Plea Fee or Trial Preparation Fee”;
- (ii) after “was charged”, insert “, including the PPE Range where applicable”;
- (j) for paragraph 9, substitute—
- “For the purposes of paragraph 8 the fee appropriate to any offence shall be that specified in the Table below as appropriate to the representative (including the category of counsel instructed, as applicable) and the Class within which that offence falls according to paragraph 5, including the PPE Range where applicable.”;
- (k) following paragraph 9, for the Tables of Guilty Plea Fees, substitute the following Tables—

“TABLES OF GUILTY PLEA FEES AND TRIAL PREPARATION FEES

(a) Guilty Plea Fees

SOLICITOR

<i>Offence falling within</i>	<i>PPE Range</i>	<i>Fee</i>
Class A	1 – 750	£3,734
Class A	751 – 3,000	£6,000
Class A	3,001 – 4,430	£7,440
Class B	1 – 687	£896
Class B	688 – 1,462	£1,792
Class B	1,463 – 2,237	£2,688
Class C	1 – 714	£595
Class C	715 – 1,262	£1,190
Class C	1,263 – 1,809	£1,785
Class D	1 – 733	£1,850
Class D	734 – 1,631	£3,232
Class D	1,632 – 2,229	£4,153
Class E	1 – 750	£595
Class E	751 – 1,636	£1,190
Class E	1,637 – 2,521	£1,785
Class F	1 – 677	£636
Class F	678 – 1,225	£1,272
Class F	1,226 – 1,773	£1,908

Class G	1 – 750	£1,041
Class G	751 – 1,750	£2,081
Class G	1,751 – 2,750	£3,122
Class H	1 – 750	£595
Class H	751 – 1,443	£1,190
Class H	1,444 – 2,135	£1,785
Class I	1 – 870	£595
Class I	871 – 1,606	£1,190
Class I	1,607 – 2,341	£1,785

COUNSEL

<i>Offence falling within</i>	<i>Queen's Counsel Fee</i>	<i>Leading Junior Counsel Fee</i>	<i>Led Junior Counsel Fee</i>	<i>Sole Junior Counsel Fee</i>
Class A	£2,860	£2,145	£1,430	£1,859
Class B	£1,067	£800	£533	£693
Class C	£914	£686	£457	£594
Class D	£1,976	£1,482	£988	£1,285
Class E	£914	£686	£457	£594
Class F	£914	£686	£457	£594
Class G	£1,158	£869	£579	£753
Class H	£914	£686	£457	£594
Class I	£914	£686	£457	£594

(b) **Trial Preparation Fees for Counsel
COUNSEL**

<i>Offence falling within</i>	<i>PPE Range</i>	<i>Queen's Counsel Fee</i>	<i>Leading Junior Counsel Fee</i>	<i>Led Junior Counsel Fee</i>	<i>Sole Junior Counsel Fee</i>
Class A	1 – 750	£4,090	£3,068	£2,045	£2,659
Class A	751 – 3,000	£7,015	£5,261	£3,508	£4,560
Class A	3,001 – 4,430	£14,890	£11,168	£7,445	£9,679
Class B	1 – 687	£1,502	£1,126	£751	£976
Class B	688 – 1,462	£3,062	£2,296	£1,531	£1,990
Class B	1,463 – 2,237	£7,262	£5,446	£3,631	£4,720
Class C	1 – 714	£1,319	£989	£660	£858
Class C	715 – 1,262	£2,684	£2,013	£1,342	£1,745
Class C	1,263 – 1,809	£5,996	£4,497	£2,998	£3,898
Class D	1 – 733	£2,744	£2,058	£1,372	£1,784
Class D	734 – 1,631	£4,694	£3,520	£2,347	£3,051
Class D	1,632 – 2,229	£9,944	£7,458	£4,972	£6,464
Class E	1 – 750	£1,319	£989	£660	£858
Class E	751 – 1,636	£2,684	£2,013	£1,342	£1,745
Class E	1,637 – 2,521	£6,359	£4,769	£3,180	£4,134
Class F	1 – 677	£1,319	£989	£660	£858
Class F	678 – 1,225	£2,684	£2,013	£1,342	£1,745
Class F	1,226 – 1,773	£6,359	£4,769	£3,180	£4,134
Class G	1 – 750	£1,926	£1,445	£963	£1,252
Class G	751 – 1,750	£3,876	£2,907	£1,938	£2,519
Class G	1,751 – 2,750	£9,126	£6,845	£4,563	£5,932
Class H	1 – 750	£1,319	£989	£660	£858
Class H	751 – 1,443	£2,684	£2,013	£1,342	£1,745
Class H	1,444 – 2,135	£6,359	£4,769	£3,180	£4,134
Class I	1 – 870	£1,319	£989	£660	£858
Class I	871 – 1,606	£2,684	£2,013	£1,342	£1,745
Class I	1,607 – 2,341	£6,359	£4,769	£3,180	£4,134”;

- (l) after the Tables of Guilty Plea Fees and Trial Preparation Fees following paragraph 9, insert—

“9A.—(1) This paragraph applies where a fee is payable to a representative under this Part.

(2) Where the PPE Range exceeds the upper limit, as appropriate to the Class of Offence involved, an additional fee shall be payable to the representative of £1 per each additional page.

(3) In this paragraph “the upper limit” means the upper limit specified in the Table of Guilty Plea Fees payable to a solicitor, or the Table of Trial Preparation Fees payable to counsel, as applicable.”;

- (m) omit paragraph 10A;
 (n) for paragraph 14(2) and (3), substitute—

“(2) A hearing to which this paragraph applies shall not be included in the length of the main hearing or of any sentencing hearing for the purpose of calculating costs, and the fee specified in the Table below as appropriate to the representative (including the category of counsel instructed, as applicable) shall be payable for each day of the hearing.

TABLE OF CONFISCATION HEARING FEES

	<i>Solicitor Fee</i>	<i>Queen’s Counsel Fee</i>	<i>Leading Junior Counsel Fee</i>	<i>Led Junior Counsel Fee</i>	<i>Sole Junior Counsel Fee</i>
Full Day	£525	£800	£600	£400	£520
Half Day	£263	£400	£300	£200	£260”;

- (o) after paragraph 15B, insert—

“**15C.**—(1) This paragraph applies to—

- (a) the hearing of an application for a sexual offences prevention order under section 104 of the Sexual Offences Act 2003(a);
- (b) the hearing of an application for a disqualification order under Article 23 or 24 of the Protection of Children and Vulnerable Adults (Northern Ireland) Order 2003(b);
- (c) the hearing of an application for an indeterminate custodial sentence under Article 13 of the Criminal Justice (Northern Ireland) Order 2008(c); and
- (d) the hearing of an application for an extended custodial sentence under Article 14 of the Criminal Justice (Northern Ireland) Order 2008.

(2) A hearing to which this paragraph applies shall not be included in the length of the main hearing or of any sentencing hearing for the purpose of calculating costs, and the time-based fee set out in the Table following paragraph 19 as appropriate to the representative (including the category of counsel instructed, as applicable) and the duration of the hearing on that day shall be payable.

(3) In determining the duration of an application for the purpose of sub-paragraph (2), there shall be excluded the period of time during any luncheon adjournment.”;

- (p) after paragraph 16, insert—

“**16A.**—(1) This paragraph applies where the assisted person applies to a magistrates’ court for bail under section 91 of the Justice Act (Northern Ireland) 2011(d).

(2) The fixed fee of £180 shall be payable to a solicitor in respect of the hearing of the bail application, and paragraph 16(1)(c) shall not apply in respect of that hearing.”;

(a) 2003 c. 42
 (b) S.I. 2003/417 (N.I. 4)
 (c) S.I. 2008/1216 (N.I. 1)
 (d) 2011 c. 24 (N.I.)

(q) following paragraph 19, for the Tables of Additional Fees, substitute the following Tables—

“TABLES OF ADDITIONAL FEES

SOLICITOR

<i>Type of work</i>	<i>Paragraph providing for fee</i>	<i>Fee</i>
Arraignment – Not Guilty	11	£90
Standby Fee	12(1)	£375
Appearing at deferred sentencing hearing	15(1)(a)	£188
Appearing at other sentencing hearing	15(1)(b)	£100
Late sitting fee	17	£188
Cases within paragraph 2	19	£563
Application Fee 1 (hearing not exceeding 1.5 hours)		£113
Application Fee 2 (hearing exceeding 1.5 hours but not exceeding 3 hours)	12(2), 13 and 16	£188
Application Fee 3 (hearing exceeding 3 hours)		£375
Sentence Hearing Preparation Fee		
PPE Range	15B	
Up to 500 pages		£500
501 – 750 pages		£750
751 – 1,000 pages		£1,000
Public Protection Application Fee 1 (hearing not exceeding 1.5 hours)		£113
Public Protection Application Fee 2 (hearing exceeding 1.5 hours but not exceeding 3 hours)	15C	£188
Public Protection Application Fee 3 (hearing exceeding 3 hours)		£375
Court-ordered youth conference		
Lower standard fee (conferences lasting up to and including 1 hour)	18A	£70
Principal standard fee (conferences lasting more than 1 hour but not exceeding 2 hours)		£112.50

COUNSEL

<i>Type of work</i>	<i>Paragraph providing for fee</i>	<i>Queen's Counsel Fee</i>	<i>Leading Junior Counsel Fee</i>	<i>Led Junior Counsel Fee</i>	<i>Sole Junior Counsel Fee</i>
Arraignment – Not Guilty	11	£120	£113	£75	£98
Standby Fee	12(1)	£400	£300	£200	£260
Appearing at deferred sentencing hearing	15(1)(a)	£320	£240	£160	£208
Appearing at other sentencing hearing	15(1)(b)	£240	£180	£120	£156
Skeleton argument	15A and 18B	£250	£188	£125	£163
Late sitting fee	17	£200	£150	£100	£130
Cases within paragraph 2	19	£600	£450	£300	£390
Application Fee 1 (hearing not exceeding 1.5 hours)		£100	£94	£63	£82
Application Fee 2 (hearing exceeding 1.5 hours but not exceeding 3 hours)	12(2), 13 and 16	£200	£150	£100	£130
Application Fee 3 (hearing exceeding 3 hours)		£400	£300	£200	£260
Sentence Hearing Preparation Fee					
PPE Range Up to 500 pages	15B	£500	£375	£250	£330
501 – 750 pages		£750	£563	£375	£495
751 – 1,000 pages		£1,000	£750	£500	£660

Public Protection Application					
Fee 1 (hearing not exceeding 1.5 hours)		£100	£94	£63	£82
Public Protection Application Fee 2 (hearing exceeding 1.5 hours but not exceeding 3 hours)	15C	£200	£150	£100	£130
Public Protection Application Fee 3 (hearing exceeding 3 hours)		£400	£300	£200	£260
Consultation /views	18(1)	£63 per hour	£47 per hour	£31 per hour	£41 per hour
Listening to or viewing tapes etc.	18(2)	£27 per 10 minutes	£20 per 10 minutes	£14 per 10 minutes	£18 per 10 minutes
Court-ordered youth conference Lower standard fee (conferences lasting up to and including 1 hour)	18A	N/A	N/A	N/A	£70
Principal standard fee (conferences lasting more than 1 hour but not exceeding 2 hours)		N/A	N/A	N/A	£112.50*.

(r) for paragraph 27, substitute—

“27. Where a solicitor was dismissed by the assisted person, or the Department is satisfied that he was obliged to withdraw from the case for compelling professional reasons, the Department may, in its discretion, allow the following fees to the solicitor—

- (a) if the solicitor was dismissed or withdrew within one week of the first arraignment but before the trial (if any) commenced, a Guilty Plea Fee as appropriate to the offence with which the assisted person was charged and the applicable PPE Range;
- (b) in any other circumstances, such amount as it considers to be reasonable in all the circumstances.”.

Sealed with the Official Seal of the Department of Justice on 13th April 2015



David Ford
Minister of Justice

The Department of Finance and Personnel hereby approves the foregoing Rules

Sealed with the Official Seal of the Department of Finance and Personnel on 14th April 2015



Emer Morelli
A senior officer of the Department of Finance and Personnel

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005, which prescribe the remuneration for solicitors and counsel assigned under Articles 29 or 36(2) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.

The Rules—

- revoke the separate provision made for the payment of Guilty Plea 2 Fees in respect of solicitors (rules 4 and 5);
- introduce new standard fees, payable to counsel only as Trial Preparation Fees, for cases in which the assisted person pleads guilty to one or more offences after the first arraignment and the case does not proceed to trial (rules 4, 6 and 12(b));
- substitute reduced levels of standard fees for guilty pleas and trials (rules 4 and 12(e), (f) and (j) to (l));
- substitute new daily fees in respect of confiscation hearings (rules 4 and 12(n));
- introduce a new provision for the payment of time-based fees (“Public Protection Application Fees”) in respect of the hearing of applications for sexual offences prevention orders, disqualification orders, indeterminate custodial sentences and extended custodial sentences (rules 4 and 12(o) and (q));
- make provision for the reclassification of certain offences (rules 4 and 12(c) and (d));
- substitute a new provision regarding the fees payable where a solicitor was dismissed or obliged to withdraw from a case for compelling professional reasons (rules 4 and 12(r));
- make provision for the fees payable in respect of compassionate bail hearings (rules 4 and 12(p));
- amend the provisions regarding the time limit within which solicitors and counsel must submit their claims for costs (rules 8 and 10);
- make other minor and consequential amendments.

These Rules come into operation on 5 May 2015 (“the commencement date”).

The amendments made by these Rules apply for the determination of costs payable in respect of work done under a criminal aid certificate granted on or after the commencement date, with the exception of the amendment made by rules 4 and 12(n). For those cases where the costs payable to a solicitor or counsel remain to be determined, the amendment substituting new daily fees in respect of confiscation hearings also applies for the determination of costs payable in respect of work done under a criminal aid certificate granted before the commencement date (rule 3).

© Crown copyright 2015

Printed in the UK by The Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty’s Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£6.00

N6633 04/2015 456633T 19585

ISBN 978-0-337-99775-4



9 780337 997754