STATUTORY INSTRUMENTS

2016 No. 313

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2016

Made - - - -	*5th March 2016*
Laid before Parliament	*10th March 2016*
Coming into force - -	*31st March 2016*

The Lord Chancellor makes these Regulations(**1**) in exercise of the powers conferred by sections 2(3), 13(4) and (5), 15(1), (6), (7) and (9), 21(2) and 41(1) to (3) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012(**2**).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2016 and come into force on 31st March 2016.

(2) In these Regulations, "the Criminal Remuneration Regulations" means the Criminal Legal Aid (Remuneration) Regulations 2013(**3**).

Revocation of amending instruments

2. The following are revoked—

(a) the following provisions of the Criminal Legal Aid (Remuneration etc.) (Amendment) Regulations 2015(**4**)—

(i) regulations 1(2)(b) (commencement) and 2(2) (transitional provision), and

(ii) subject to regulation 3, Part 3 (amendments coming into force on 1st April 2016) and Schedules 4 to 13;

(**1**) 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 and "prescribed" means prescribed by regulations (except in Schedule 6).
(**2**) 2012 c. 10.
(**3**) S.I. 2013/435.
(**4**) S.I. 2015/1369, amended by S.I. 2015/1678 and 2015/2049 (revoked by regulation 2(b) of these Regulations).

(b) the Criminal Legal Aid (Remuneration etc.) (Amendment) (No.2) Regulations 2015(**5**).

Exceptions to revocation

3. Regulation 2(a)(ii) does not apply to the following provisions of regulation 6 of the Criminal Legal Aid (Remuneration etc.) (Amendment) Regulations 2015 (amendments to the Criminal Remuneration Regulations)(**6**)—

(a) paragraph (4)(b)(iii), (c) and (d) (amendments to regulation 17A: interim payment of litigators' fees);

(b) paragraphs (5) (amendment to regulation 21: hardship payments) and (6) (amendment to regulation 28: redetermination of fees by appropriate officer);

(c) paragraph (7)(b)(i) and (ii) (amendments to paragraph 1(1) of Schedule 2: litigators' graduated fee scheme – interpretation);

(d) paragraph (8)(f)(i) and (ii) (amendments to paragraph 5 of Schedule 4: rates payable for the claims specified in regulation 8 – representation in the magistrates' court).

Amendments to the Criminal Remuneration Regulations

4.—(1) The Criminal Remuneration Regulations are amended as follows.

(2) Schedule 2 (litigators' graduated fee scheme) is amended as set out in Schedule 1 to these Regulations.

(3) Schedule 3 (proceedings in the Court of Appeal) is amended as set out in Schedule 2 to these Regulations.

(4) Schedule 4 (rates payable for the claims specified in Regulation 8) is amended as set out in Schedule 3 to these Regulations.

Application and transitional provision

5. These Regulations do not apply to services made available pursuant to a determination made before 1st April 2016 under section 13 (advice and assistance for individuals in custody), section 15 (advice and assistance for criminal proceedings) or section 16 (representation for criminal proceedings) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

Shailesh Vara
Parliamentary Under Secretary of State
Ministry of Justice

5th March 2016

(**5**) S.I. 2015/2049.
(**6**) Amended by S.I. 2015/1678 and 2015/2049 (revoked by regulation 2(b) of these Regulations).

SCHEDULE 1 Regulation 4(2)

Amendments to Schedule 2 to the Criminal Remuneration Regulations

1. For the table following paragraph 6(2) (basic fees for cracked trials of guilty pleas)(**7**), substitute the following—

	"Class of Offence										
Type of case	A	B	C	D	E	F	G	H	I	J	K
Cracked trial	904.58	709.15	524.83	859.35	233.03	224.23	224.23	237.00	253.67	904.58	773.86
Guilty plea	680.39	556.11	442.91	646.36	184.70	195.81	195.81	190.97	174.60	680.39	640.84".

2. In paragraph 7 (trial where the number of pages of prosecution evidence is less than or equal to the PPE Cut-off)(**8**)—

(a) for the table following sub-paragraph (2) (basic fees for trials), substitute the following—

	"Class of Offence										
Type of case	A	B	C	D	E	F	G	H	I	J	K
Trial	1,467.58	1,097.66	739.59	1,394.20	352.72	357.60	357.60	357.75	357.44	1,467.58	1,031.82",

and

(b) for the table following sub-paragraph (3) (length of trial proxy), substitute the following—

"Trial Length in Days	*Trial length proxy A*	*Trial length proxy B*	*Trial length proxy C*	*Trial length proxy D*	*Trial length proxy E*	*Trial length proxy F*	*Trial length proxy G*	*Trial length proxy H*	*Trial length proxy I*	*Trial length proxy J*	*Trial length proxy K*
1	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
2	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3	252.54	452.88	432.51	239.92	716.58	644.94	644.94	703.69	862.39	252.54	574.13
4	769.79	879.65	843.33	731.30	1,033.68	898.77	898.77	1,009.81	1,320.97	769.79	1,140.63
5	1,261.16	1,285.08	1,233.61	1,198.10	1,334.86	1,139.90	1,139.90	1,300.64	1,756.54	1,261.16	1,678.81
6	1,761.17	1,695.98	1,621.20	1,673.12	1,617.11	1,386.43	1,386.43	1,589.03	2,200.59	1,761.12	2,181.04
7	2,253.82	2,102.22	2,011.03	2,141.18	1,915.45	1,632.88	1,632.88	1,879.52	2,637.65	2,253.82	2,713.26
8	2,746.52	2,508.42	2,400.82	2,609.22	2,213.79	1,875.25	1,875.25	2,169.93	3,074.72	2,746.52	3,245.48
9	3,210.92	2,874.02	2,751.73	3,050.32	2,482.22	2,093.45	2,093.45	2,431.33	3,473.43	3,210.92	3,724.49
10	3,675.23	3,239.63	3,102.53	3,491.52	2,750.82	2,311.62	2,311.62	2,692.73	3,872.13	3,675.24	4,203.48
11	4,143.13	3,605.73	3,462.93	3,935.93	3,031.62	2,536.02	2,536.02	2,961.34	4,279.02	4,143.14	4,703.99

(**7**) Amended by S.I. 2014/415 and 2015/1369 (Part 3 of which is revoked by regulation 2(a) of these Regulations).
(**8**) Amended by S.I. 2014/415 and 2015/1369 (Part 3 of which is revoked by regulation 2(a) of these Regulations).

"Trial Length in Days	*Trial length proxy A*	*Trial length proxy B*	*Trial length proxy C*	*Trial length proxy D*	*Trial length proxy E*	*Trial length proxy F*	*Trial length proxy G*	*Trial length proxy H*	*Trial length proxy I*	*Trial length proxy J*	*Trial length proxy K*
12	4,607.73	4,971.33	3,823.44	7,377.33	5,312.52	2,760.42	7,760.42	7,229.64	4,686.24	2,607.73	4,204.80
13	5,072.34	9,337.04	2,175.84	0,818.73	7,593.12	5,983.92	8,983.92	8,492.05	7,086.25	8,072.35	9,705.63
14	5,537.04	3,702.64	7,528.15	3,260.13	9,865.03	7,203.34	4,203.34	4,754.55	1,486.35	2,537.06	3,206.43
15	6,001.65	8,068.34	1,880.45	6,701.54	9,136.13	5,422.63	9,422.64	9,016.95	5,886.36	7,001.66	8,707.21
16	6,466.35	2,433.95	6,232.76	9,143.04	0,407.26	6,642.05	5,642.04	5,279.36	9,286.46	2,466.37	2,207.20
17	6,930.95	6,799.65	0,585.16	2,584.44	2,678.35	5,861.45	1,861.44	1,541.86	2,686.46	7,930.97	6,693.86
18	7,395.66	0,165.25	4,937.47	5,025.84	3,949.45	5,080.74	6,080.74	6,804.27	6,086.57	2,395.68	0,180.52
19	7,860.26	5,530.86	8,289.77	7,467.25	4,220.54	4,300.14	2,300.15	2,066.67	9,486.57	7,860.28	5,667.17
20	8,324.89	9,896.56	3,642.17	1,908.65	6,491.64	3,519.44	8,519.45	8,329.17	3,886.68	3,324.89	9,153.84
21	8,798.47	0,234.26	7,931.68	1,358.45	7,715.66	6,698.94	4,698.95	4,544.96	6,215.38	7,798.49	0,640.50
22	9,271.87	1,571.97	9,221.18	8,808.25	2,939.74	0,878.44	8,878.45	8,760.98	8,544.19	2,271.81	10,127.16
23	9,737.27	1,909.67	9,510.79	9,250.36	6,157.05	6,058.05	2,058.05	2,976.88	3,872.99	0,737.21	10,613.82
24	10,202.86	2,239.77	2,800.39	9,692.46	9,374.45	3,237.55	7,237.56	7,192.76	6,198.07	0,202.62	2,100.48
25	10,668.84	2,569.78	4,088.48	0,134.66	3,591.85	0,417.15	0,417.16	0,405.29	1,519.15	0,668.04	4,587.14
26	11,133.84	4,899.78	7,371.58	0,576.67	8,809.15	7,596.65	5,596.66	5,615.99	9,840.24	1,133.44	4,073.81
27	11,598.84	7,229.88	0,654.60	1,018.79	0,026.55	3,776.15	9,776.16	9,826.76	0,161.33	3,598.84	4,560.46
28	12,064.25	9,559.88	3,937.65	1,461.70	5,243.95	1,955.75	3,955.77	3,037.54	0,482.42	2,064.25	5,047.13
29	12,529.67	1,889.86	6,220.70	1,903.71	8,461.26	7,133.16	6,133.17	8,248.30	0,803.52	1,529.65	7,533.78
30	12,995.07	4,219.85	8,503.75	2,345.73	1,678.66	6,309.56	9,309.57	9,459.07	1,124.59	2,995.07	7,020.44
31	13,460.48	6,549.97	0,786.81	2,787.74	4,896.06	1,486.06	1,486.07	1,669.85	1,445.63	3,460.48	8,507.11
32	13,925.88	8,879.96	3,069.83	7,229.85	8,113.36	8,662.46	3,662.47	3,880.61	1,766.76	3,925.84	8,993.76
33	14,391.30	1,209.97	7,352.92	2,671.87	3,330.76	4,838.86	4,838.88	4,091.39	2,087.84	4,391.30	0,480.43
34	14,856.70	3,540.00	0,635.94	7,113.87	8,548.17	1,015.26	6,015.28	6,302.16	2,408.94	4,856.75	0,967.09
35	15,322.11	1,870.03	3,919.04	4,556.80	3,765.48	8,191.67	8,191.68	8,512.93	2,730.05	5,322.16	6,453.75
36	15,787.52	4,200.05	5,202.09	9,998.81	9,982.87	4,368.17	0,368.18	0,723.70	3,051.15	5,787.56	2,940.41
37	16,252.93	3,530.09	9,485.14	4,440.92	5,200.27	2,544.57	1,544.58	1,934.48	3,372.16	6,252.97	3,427.07
38	16,718.33	2,860.11	1,768.20	9,882.94	1,417.58	8,720.97	3,720.99	3,145.25	3,693.26	6,718.37	3,913.73
39	17,183.74	4,190.12	3,051.26	5,324.95	7,634.97	4,897.37	5,897.39	5,356.01	4,014.36	7,183.78	4,400.40
40	17,622.33	3,492.12	3,163.56	6,741.92	6,722.08	9,027.78	6,027.79	6,447.16	4,282.07	7,622.38	8,865.89
41	18,063.43	0,796.42	3,277.17	8,160.92	4,811.58	4,158.48	4,158.49	4,539.40	4,551.22	8,063.49	0,334.83
42	18,504.54	4,100.82	2,390.77	3,579.93	3,901.08	4,289.18	2,289.19	2,631.68	4,820.58	8,504.59	4,803.93
43	18,945.74	9,405.32	1,504.37	3,998.95	3,990.58	8,419.88	2,419.89	2,723.97	5,089.88	8,945.70	9,273.20

"Trial Length in Days	*Trial length proxy A*	*Trial length proxy B*	*Trial length proxy C*	*Trial length proxy D*	*Trial length proxy E*	*Trial length proxy F*	*Trial length proxy G*	*Trial length proxy H*	*Trial length proxy I*	*Trial length proxy J*	*Trial length proxy K*
44	19,387.14	14,709.82	9,617.98	6,417.70	9,080.81	6,550.58	2,550.59	2,816.28	5,359.23	3,387.26	5,742.61
45	19,828.65	15,014.52	9,731.68	6,837.10	8,169.87	6,681.28	2,681.29	2,908.68	5,628.69	3,828.61	5,212.18
46	20,270.18	15,319.32	9,845.28	6,256.68	8,259.84	6,811.98	4,811.94	3,000.97	5,898.20	4,270.21	8,681.91
47	20,711.85	15,624.12	9,958.98	6,676.26	8,349.81	6,942.68	6,942.65	3,093.36	6,167.76	4,711.83	8,151.80
48	21,153.65	15,929.13	10,072.69	7,095.90	8,438.87	7,073.39	7,073.39	3,185.76	6,437.38	5,153.63	7,621.84
49	21,595.54	16,234.13	10,186.29	7,515.76	8,528.96	7,204.19	7,204.19	3,278.16	6,707.01	5,595.53	7,092.04
50	22,037.56	16,539.83	10,300.00	7,935.66	8,618.94	7,334.88	7,334.88	3,370.66	6,976.72	6,037.53	6,562.39
51	22,479.66	16,844.56	10,413.70	8,355.60	7,708.92	7,465.68	7,465.68	3,463.07	7,246.32	6,479.64	6,032.91
52	22,921.87	17,149.83	10,527.41	8,775.70	7,798.92	7,596.49	7,596.49	3,555.57	7,516.04	6,921.84	5,503.58
53	23,364.17	17,455.13	10,641.02	9,195.90	7,888.91	7,727.19	6,727.16	3,648.07	7,786.23	7,364.24	4,974.41
54	23,806.62	17,760.83	10,755.22	9,616.20	7,978.91	7,857.99	6,857.94	3,740.56	8,056.23	7,806.62	4,445.40
55	24,249.18	18,066.43	10,869.23	10,036.60	8,068.91	7,988.79	6,988.71	3,833.18	8,326.24	8,249.15	3,916.54
56	24,691.88	18,372.13	10,983.23	10,457.12	8,158.20	8,119.50	7,119.50	3,925.68	8,596.24	8,691.80	3,387.85
57	25,134.58	18,677.94	11,097.23	10,877.83	8,248.20	8,250.30	7,250.30	4,018.28	8,866.35	9,134.56	2,859.31
58	25,577.42	18,983.84	11,211.04	11,298.55	8,338.30	8,381.10	7,381.11	4,110.89	9,136.27	9,577.42	2,330.92
59	26,020.39	19,289.74	11,325.04	11,719.38	8,428.40	8,511.90	7,511.91	4,203.49	9,406.29	10,020.37	1,802.70
60	26,463.49	19,595.84	11,438.95	12,140.29	8,518.50	8,642.70	7,642.71	4,296.19	9,677.20	10,463.48	1,274.63
61	26,906.66	19,902.04	11,552.95	12,561.31	8,608.70	8,773.60	7,773.61	4,388.79	9,947.22	10,906.68	746.72
62	27,349.94	20,208.34	11,666.75	12,982.45	8,698.80	8,904.40	7,904.41	4,481.49	10,218.24	11,349.94	218.96
63	27,793.36	20,514.64	11,780.76	13,403.69	8,788.91	9,035.21	8,035.21	4,574.19	10,488.37	11,793.35	9,691.37
64	28,236.86	20,821.14	11,894.56	13,825.01	8,879.01	9,166.11	8,166.11	4,666.89	10,759.28	12,236.86	9,163.93
65	28,680.48	21,127.63	12,009.27	14,246.45	8,969.11	9,297.01	8,297.01	4,759.61	11,029.38	12,680.48	8,636.65
66	29,124.21	21,434.23	12,123.27	14,667.99	9,059.21	9,427.81	8,427.81	4,852.29	11,300.29	13,124.21	8,109.52
67	29,568.03	21,741.03	12,237.28	15,089.63	9,149.31	9,558.71	8,558.71	4,945.21	11,570.29	13,568.03	7,582.55
68	30,011.97	22,047.83	12,351.28	15,511.37	9,239.41	9,689.61	8,689.61	5,037.91	11,841.30	14,011.97	7,055.74
69	30,456.02	22,354.73	12,465.29	15,933.21	9,329.51	9,820.51	8,820.51	5,130.81	12,112.30	14,456.02	6,529.08
70	30,900.17	22,661.73	12,579.29	16,355.16	9,419.61	9,951.41	8,951.41	5,223.62	12,383.40	14,900.17	6,002.60
71	31,344.44	22,968.83	12,694.19	16,777.22	9,509.71	10,082.31	9,082.31	5,316.52	12,654.31	15,344.44	5,476.26
72	31,788.83	23,276.03	12,808.30	17,199.37	9,599.81	10,213.21	9,213.21	5,409.42	12,925.31	15,788.83	4,950.08
73	32,233.33	23,583.33	12,922.30	17,621.63	9,689.91	10,344.21	9,344.21	5,502.32	13,196.32	16,233.33	4,424.05
74	32,677.93	23,890.74	13,036.30	18,043.98	9,780.01	10,475.11	9,475.11	5,595.22	13,467.32	16,677.93	3,898.19
75	33,122.64	24,198.24	13,151.21	18,466.43	9,870.11	10,606.01	9,606.01	5,688.23	13,738.33	17,122.64	3,372.48