STATUTORY INSTRUMENTS

2024 No. 1163

LEGAL AID AND ADVICE, ENGLAND AND WALES

The Criminal Legal Aid (Remuneration) (Amendment) Regulations 2024

Made - - - -	*13th November 2024*
Laid before Parliament	*14th November 2024*
Coming into force - -	*6th December 2024*

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

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2024 and come into force on 6th December 2024.

(2) These Regulations extend to England and Wales.

Amendments to the Criminal Legal Aid (Remuneration) Regulations 2013

2.—(1) Schedule 4 to the Criminal Legal Aid (Remuneration) Regulations 2013(**b**) is amended as follows.

(2) For the table following paragraph 2(8) (work conducted at the Police station: Police Station advice and assistance), substitute—

"**Police Station Attendance – Fixed Fees and Escape Fee Thresholds**

Criminal Justice System Area	***Scheme***	***Fixed Fee (£)***	***Escape Threshold (£)***
Cleveland	Hartlepool	223.52	588.99
	Teeside	223.52	588.99
Durham	Darlington	223.52	588.99
	South Durham	223.52	588.99

(**a**) 2012 c. 10; section 42(1) of that Act provides that in Part 1 of that Act, "regulations" means regulations made by the Lord Chancellor (except in Schedule 6).

(**b**) S.I. 2013/435, amended by Schedule 24(5) paragraph 416 of the Sentencing Act 2020 (c. 17) (subject to savings and transitional provisions specified in section 410 of and Part 7 of Schedule 24 of that Act) and S.I. 2023/1140, 2022/995, 2022/848, 2020/903, 2015/1678, 2015/1369, 2015/325, there are other amending instruments but none is relevant.

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
	Durham	223.52	588.99
	Derwentside	223.52	588.99
	Easington	223.52	588.99
Northumbria	South East Northumberland	223.52	588.99
	Newcastle upon Tyne	223.52	588.99
	Gateshead	223.52	588.99
	North Tyneside	223.52	588.99
	South Tyneside	223.52	588.99
	Sunderland / Houghton Le Spring	223.52	588.99
	Berwick & Alnwick	223.52	588.99
	Tynedale & Hexham	223.52	588.99
Avon & Somerset	Avon North & Thornbury	223.52	588.99
	Bath	223.52	588.99
	Mendip & South Somerset	249.17	747.52
	Bristol	223.52	588.99
	Sedgemore / Taunton Deane	223.52	588.99
	Weston-Super-Mare	223.52	588.99
Dorset	Central Dorset	223.52	588.99
	Bournemouth & Christchurch	223.52	588.99
	Poole East Dorset	223.52	588.99
	Bridport / West Dorset	223.52	588.99
Wiltshire	Salisbury	223.52	588.99
	Chippenham / Trowbridge	223.52	588.99
	Swindon	223.52	588.99
Gloucestershire	Cheltenham	223.52	588.99
	Gloucester	223.52	588.99
	Stroud	223.52	588.99
Devon & Cornwall	Barnstaple	223.52	588.99
	Exeter	223.52	588.99

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
	Plymouth	223.52	588.99
	East Cornwall	228.77	776.99
	Carrick / Kerrier (Camborne) / Penwith	223.52	588.99
	Teignbridge / Torbay	223.52	588.99
Staffordshire	Stoke on Trent / Leek	223.52	588.99
	Stafford / Cannock & Rugeley	223.52	588.99
	Lichfield & Tamworth / Burton Upon Trent / Uttoxeter	223.52	588.99
Warwickshire	Leamington / Nuneaton / Rugby	223.52	588.99
West Mercia	Hereford / Leominster	223.52	588.99
	Kidderminster / Redditch	228.63	685.88
	Shrewsbury	223.52	588.99
	Telford	223.52	588.99
	Worcester	223.52	588.99
West Midlands	Sandwell	223.52	588.99
	Wolverhampton & Seisdon	223.52	588.99
	Dudley & Halesowen	223.52	588.99
	Walsall	223.52	588.99
	Birmingham	223.52	588.99
	Solihull	223.52	588.99
	Coventry	223.52	588.99
Dyfed Powys	Amman Valley	223.52	588.99
	Carmarthen East Dyfed	232.21	696.61
	Llanelli	223.52	588.99
	Brecon & Radnor	233.99	701.97
	Mid Wales	223.52	588.99
	North Ceredigion / South Ceredigion	234.88	704.64
	Pembrokeshire	223.52	588.99

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
Gwent	East Gwent	223.52	588.99
	Newport	223.52	588.99
	Lower Rhymney Valley / North Bedwellty / South Bedwellty	223.52	588.99
North Wales	Bangor & Caernarfon	223.52	588.99
	Colwyn Bay	223.52	588.99
	Denbighshire	223.52	588.99
	Dolgellau	223.52	588.99
	Mold & Hawarden	223.52	588.99
	North Anglesey	226.85	680.54
	Pwllheli	223.52	588.99
	Wrexham	223.52	588.99
South Wales	Cardiff	223.52	588.99
	Vale of Glamorgan	239.35	718.06
	Cynon Valley	223.52	588.99
	Mid Glamorgan & Miskin	223.52	588.99
	Merthyr Tydfil	223.52	588.99
	Port Talbot	251.85	852.01
	Newcastle & Ogmore	223.52	588.99
	Neath	223.52	588.99
	Swansea	223.52	588.99
Merseyside	Bootle & Crosby	223.52	588.99
	Southport	223.52	588.99
	Liverpool	223.52	588.99
	St Helens	223.52	588.99
	Knowsley	223.52	588.99
	Wirral	223.52	588.99
Cheshire	Crewe & Nantwich / Sandbach & Congleton / Macclesfield	223.52	588.99
	Warrington / Halton	223.52	588.99

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
	Chester / Vale Royal (Northwich)	223.52	588.99
Cumbria	Barrow In Furness	223.52	588.99
	Kendal & Windermere	223.52	588.99
	Penrith / Carlisle	223.52	588.99
	Whitehaven / Workington	223.52	588.99
Greater Manchester	Manchester	223.52	588.99
	Stockport	223.52	588.99
	Trafford	223.52	588.99
	Salford	223.52	588.99
	Bolton	223.52	588.99
	Bury	223.52	588.99
	Wigan	223.52	588.99
	Rochdale / Middleton	223.52	588.99
	Tameside	223.52	588.99
	Oldham	223.52	588.99
Lancashire	Burnley / Rossendale	223.52	588.99
	Blackburn / Accrington / Ribble Valley	223.52	588.99
	Blackpool	223.52	588.99
	Fleetwood	223.52	588.99
	Lancaster	223.52	588.99
	Chorley / Ormskirk / South Ribble & Leyland	223.52	588.99
	Preston	223.52	588.99
Kent	Dartford & Gravesend	267.93	803.78
	Ashford & Tenterden / Dover / Folkestone	236.11	801.10
	Medway	235.77	707.32
	Swale	279.53	838.60
	Maidstone & West Malling	249.17	747.52
	Canterbury / Thanet	223.52	588.99

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
	West Kent (Tonbridge)	239.35	718.06
Surrey	Guildford & Farnham	223.52	588.99
	North West Surrey (Woking)	225.62	766.26
	South East Surrey	238.21	809.13
	Epsom	241.36	819.87
	Staines	277.04	937.73
Sussex	Brighton & Hove & Lewes	223.52	588.99
	Chichester & District	223.52	588.99
	Crawley / Horsham	262.57	787.69
	Hastings	223.52	588.99
	Worthing	223.52	588.99
	Eastbourne	223.52	588.99
Derbyshire	East Derbyshire (Ripley) / Ilkeston	237.56	712.68
	Ashbourne / Matlock / High Peak (Buxton)	223.52	588.99
	Chesterfield	223.52	588.99
	Derby / Swadlincote	223.52	588.99
Leicestershire	Ashby & Coalville / Loughborough / Melton Mowbray	223.52	588.99
	Leicester	223.52	588.99
	Hinckley / Market Harborough	232.21	696.61
Lincolnshire	Boston / Bourne / Stamford	223.52	588.99
	Skegness	223.52	588.99
	Lincoln / Gainsborough	223.52	588.99
	Grantham & Sleaford	223.52	588.99
Nottinghamshire	Mansfield	223.52	588.99
	Newark	223.52	588.99
	Nottingham	223.52	588.99
	Worksop & East Retford	223.52	588.99

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
Northamptonshire	Corby (Kettering) / Wellingborough	223.52	588.99
	Northampton	223.52	588.99
Bedfordshire	Bedford	223.52	588.99
	Luton	223.52	588.99
Cambridgeshire	Cambridge	223.52	588.99
	Ely	223.52	588.99
	Huntingdon	223.52	588.99
	March & Wisbech	223.52	588.99
	Peterborough	223.52	588.99
Essex	Basildon	223.52	588.99
	Brentwood	286.48	972.58
	Braintree	228.77	774.32
	Clacton & Harwich / Colchester	223.52	588.99
	Grays	267.59	908.27
	Harlow & Loughton	267.59	908.27
	Stansted	295.93	1,004.72
	Rayleigh / Southend On Sea	223.52	588.99
	Chelmsford / Witham	223.52	588.99
Hertfordshire	Dacorum (Hemel Hempstead)	241.36	817.16
	Bishop's Stortford / East Hertfordshire	292.78	993.99
	Stevenage & North Hertfordshire	271.79	921.68
	St Albans	246.61	807.59
	Watford	242.41	822.54
Norfolk	Cromer & North Walsham	223.52	588.99
	Great Yarmouth	223.52	588.99
	Kings Lynn & West Norfolk	223.52	588.99
	Norwich & District	223.52	588.99
	Diss / Thetford	223.52	588.99

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
	Dereham	227.71	771.64
Suffolk	Lowestoft / Beccles & Halesworth / Aldeburgh	223.52	588.99
	Felixstowe / Ipswich & District / Woodbridge	223.52	588.99
	Sudbury & Hadleigh / Bury St Edmunds / Haverhill / Newmarket	223.52	588.99
Thames Valley	Abingdon, Didcot & Witney (South Oxfordshire)	240.30	814.49
	Aylesbury	228.63	685.88
	High Wycombe & Amersham	223.52	588.99
	Milton Keynes	223.52	588.99
	Bicester / North Oxon (Banbury)	223.52	588.99
	Oxford	223.52	588.99
	Reading	223.52	588.99
	Slough (East Berkshire)	240.30	814.49
	West Berkshire (Newbury Etc)	223.52	588.99
Hampshire	Aldershot / Petersfield (North East Hampshire)	229.82	779.67
	Andover / Basingstoke / Winchester (NW Hants)	242.03	726.09
	Isle Of Wight	223.52	588.99
	Portsmouth / Waterlooville (South East Hampshire)	223.52	588.99
	Gosport & Fareham	247.38	742.14
	Southampton (South West Hampshire)	228.63	685.88
Humberside	Grimsby & Cleethorpes	223.52	588.99
	Scunthorpe	223.52	588.99
	Hull	223.52	588.99
	Beverley / Bridlington	223.52	588.99

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
	Goole	223.52	588.99
North Yorkshire	Northallerton & Richmond	223.52	588.99
	Harrogate & Ripon	223.52	588.99
	Skipton, Settle & Ingleton	223.52	588.99
	Scarborough / Whitby	223.52	588.99
	Malton & Ryedale	223.52	588.99
	York / Selby	223.52	588.99
South Yorkshire	Barnsley	223.52	588.99
	Doncaster	223.52	588.99
	Rotherham	223.52	588.99
	Sheffield	223.52	588.99
West Yorkshire	Halifax	223.52	588.99
	Huddersfield	223.52	588.99
	Dewsbury	223.52	588.99
	Bradford	223.52	588.99
	Keighley & Bingley	223.52	588.99
	Leeds	223.52	588.99
	Pontefract & Castleford	223.52	588.99
	Wakefield	223.52	588.99
London	Barking	264.45	852.79
	Bexley	264.45	852.79
	Bishopsgate	269.69	913.62
	Brent	264.45	852.79
	Brentford	264.45	852.79
	Bromley	264.45	852.79
	Camberwell Green	264.45	852.79
	Central London	272.84	924.35
	Clerkenwell/Hampstead	264.45	852.79
	Croydon	264.45	852.79
	Ealing	264.45	852.79
	Enfield	264.45	852.79

Criminal Justice System Area	*Scheme*	*Fixed Fee (£)*	*Escape Threshold (£)*
	Greenwich/Woolwich	264.45	852.79
	Haringey	264.45	852.79
	Harrow	264.45	852.79
	Havering	264.45	852.79
	Heathrow	315.86	1,071.72
	Hendon/Barnet	264.45	852.79
	Highbury Corner	264.45	852.79
	Kingston-Upon-Thames	264.45	852.79
	Newham	264.45	852.79
	Old Street	264.45	852.79
	Redbridge	264.45	852.79
	Richmond-Upon-Thames	277.04	937.73
	South London	264.45	852.79
	Sutton	264.45	852.79
	Thames	264.45	852.79
	Tower Bridge	267.59	908.27
	Uxbridge	264.45	852.79
	Waltham Forest	264.45	852.79
	West London	270.74	918.97
	Wimbledon	264.45	852.79”;

(3) After paragraph 2, insert—

“Police station attendance: travel fee for the purposes of attendance at a Destination Police Station

2A.—(1) The fees listed in the table following sub-paragraph (2) are payable in addition to any other fee which is payable under this Schedule.

(2) The hourly rates for travel for the purposes of attendance to which sub-paragraph (3) applies are specified in the table following this sub-paragraph.

Travel hourly rates

	Hourly rate (£)
Own Solicitor	30.22
Duty Solicitor	54.57

	Hourly rate (£)
Duty Solicitor (Unsocial Hours)	72.46

(3) This sub-paragraph applies to attendance at a Destination Police Station by an Attending Duty Scheme Solicitor or an Attending Own Solicitor.

(4) Destination Duty Schemes and Attending Duty Schemes for the purposes of this paragraph are specified in the table following this sub-paragraph.

Travel Scheme Table

Destination Duty Scheme	*Attending Duty Scheme*
Skegness	Skegness
	Lincoln
	Boston
	North & North East Lincolnshire
Barnstaple	Barnstaple
	Exeter
	Bridgwater (Weston-Super-Mare / Sedgemoor / Taunton Deane combined)
	East Cornwall
	Plymouth
Berwick & Alnwick	Berwick & Alnwick
	South East Northumberland
	Tynedale & Hexham
Dolgellau	Dolgellau
	Anglesey, Bangor & Caernarfon
	North Ceredigion / South Ceredigion
	Newtown (Mid Wales)
	Pwllheli
	Denbighshire
	Colwyn Bay
	Wrexham
Newark	Newark
	Mansfield
	Worksop & East Retford
	Nottingham

Destination Duty Scheme	*Attending Duty Scheme*
	Loughborough
	Grantham
	Lincoln
Isle of Wight	Isle of Wight
	Portsmouth / Waterlooville (South East Hampshire)
	South West Hants (Southampton)

(5) In this paragraph—

"Destination Police Station" means a police station listed in the Police Station Table as being within a Duty Scheme listed in column 1 of the Travel Scheme Table.

In relation to a particular Destination Police Station—

(a) the "Destination Duty Scheme" is the Duty Scheme listed in the Police Station Table as including that Destination Police Station;

(b) an "Attending Duty Scheme" is a Duty Scheme listed in column 2 of the Travel Scheme Table as corresponding to the Destination Duty Scheme;

(c) an "Attending Duty Scheme Solicitor" is a Duty Solicitor who is a member of an Attending Duty Scheme;

(d) an "Attending Own Solicitor" is an Own Solicitor whose Office(s) are situated within the area covered by an Attending Duty Scheme (as set out in the October 2021 version of the Duty Solicitor Postcode Tool(**a**));

"the Police Station Table" is the table set out in Annex A to version 16 (December 2023) of the 2022 Standard Crime Contract Guidance for reporting crime lower work(**b**);

"the Travel Scheme Table" is the table following sub-paragraph (4).";

(4) In paragraph 5 (Representation in the Magistrates' Court)—

(a) in sub-paragraph (A1), after "5A", insert "or paragraph 5B";

(b) in sub-paragraph (2), after "5A", insert "or paragraph 5B";

(c) in sub-paragraph (3)(a)—

(i) after "is a reference to the following proceedings", insert "other than proceedings referred to in paragraph (c)";

(ii) in sub-paragraph (i), after "guilty pleas", insert "(other than in proceedings referred to in paragraph (b)(vii));

(iii) omit sub-paragraph (ii);

(iv) in sub-paragraph (iii)—

(aa) after "either way offences", insert "(other than proceedings referred to in paragraph (b)(vii))"; and

(**a**) A copy of the October 2021 version of the Duty Solicitor Postcode Tool is available at https://assets.publishing.service.gov.uk/media/616d97218fa8f52985dd75a4/Duty_Solicitor_Postcode_Tool.pdf. Copies can be inspected at the Legal Aid Agency (Head Office), 102 Petty France, London, SW1H 9AJ

(**b**) A copy of version 16 (December 2023) of the guidance is available at https://assets.publishing.service.gov.uk/media/65817f5bfc07f300128d4457/Guidance_for_Reporting_Crime_Lower_Work.pdf. Copies can be inspected at the Legal Aid Agency (Head Office), 102 Petty France, London, SW1H 9AJ.

(bb) at the end, omit "and";

(v) in sub-paragraph (iv)—

(aa) after "either way offences", insert "(other than proceedings referred to in paragraph (b)(vii))"; and

(bb) at the end, insert "and"; and

(vi) after sub-paragraph (iv), insert—

"(v) proceedings arising out of a deferment of sentence (including any subsequent sentence hearing) under Chapter 1 of Part 2 of the Sentencing Code(**a**) relating to—

(aa) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(bb) low-value shoplifting as defined in section 22A(3) of the Magistrates' Court Act 1980 (low-value shoplifting to be a summary offence)(**b**);";

(d) in sub-paragraph (3)(b)—

(i) after "(a)(ia)", insert "or paragraph (c)";

(ii) in sub-paragraph (v), for "Code;", substitute "Code relating to summary offences (other than low-value shoplifting as defined in section 22A(3) of the Magistrates' Court Act 1980 (low-value shoplifting to be a summary offence)(**c**))";

(5) After paragraph 5A (Representation in proceedings relating to an injunction under Part 1 of the Antisocial Behaviour, Crime and Policing Act 2014(**d**) or related parenting order in any court), insert—

"Representation in the youth court

5B.—(1) Subject to sub-paragraph (2), this paragraph applies to—

(a) proceedings in the youth court;

(b) subject to sub-paragraph (3), proceedings in a magistrates' court which is not a youth court—

(i) to which sections 46(1)(a), (b) or (c) of the 1933 Act (assignment of certain matters to youth courts) apply; or

(ii) to which section 18 of the Children and Young Persons Act 1963 (jurisdiction of magistrates' courts in certain cases involving children and young persons)(**e**) applies; and

(c) proceedings relating to bail or remand—

(i) which fall within the jurisdiction conferred on the youth court; and

(ii) are heard in a magistrates' court which is not a youth court.

(2) This paragraph does not apply where paragraph 5A applies.

(**a**) 2020 c. 17; pursuant to section 1 of the Sentencing Act 2020, Parts 2 to 13 of that Act make up the Sentencing Code.

(**b**) 1980 c. 43; section 22A was added by section 176(3) of the Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), subject to transitional provision set out in section 176(8) of that Act and commencement provision set out in S.I. 2014/949, and amended by section 52(1) of the Criminal Justice and Courts Act 2015 (c. 2).

(**c**) Section 22 of that Act was amended by section 46 of and schedule 11 to the Criminal Justice and Public Order Act 1994 (c. 33), paragraph 16 of Schedule 8 to the Criminal Justice Act 1988 (c. 33), paragraph 6(1) of Schedule 8 to the Criminal Justice Act 1991 (c. 53), section 50(2) of the Police, Crime, Sentencing and Courts Act 2022 (c. 32) and section 2(2) of the Aggravated Vehicle Taking Act 1992 (c. 11).

(**d**) 2014 c. 12.

(**e**) 1963 c. 37; section 18 was amended by paragraph 40(2)(e) of Schedule 11 to the Criminal Justice Act 1991 (c. 53) and paragraphs 5(a) and (b) of Schedule 9 to the Criminal Justice and Public Order Act 1994 (c. 33).

(3) (a) This paragraph does not apply to claims for fees by a litigator who is acting in proceedings referred to in sub-paragraph (1)(b), where the condition in paragraph (b) of this sub-paragraph is met.

(b) The condition is that if the charge were brought solely against the assisted person(s)—

(i) the proceedings would not fall within the jurisdiction conferred on the youth court;

(ii) section 46(1) of the 1933 Act (assignment of certain matters to youth courts) would not apply to the proceedings; and

(iii) section 18 of the Child and Young Persons Act 1963 (jurisdiction of magistrates' courts in certain cases involving children and young persons) would not apply to the proceedings.

(4) The fixed amounts and hourly rates for representation in proceedings to which this paragraph applies for—

(a) recording time and to determine whether the Lower or Higher Standard Fee Limit has been reached; and

(b) claiming costs in cases which fall outside the Standard Fee payment schemes,

are specified in the table following this sub-paragraph.

Representation in the youth court

	All Areas (£)
Routine letter written and telephone calls per item	4.09
Preparation hourly rate	52.15
Advocacy hourly rate (including applications for bail and other applications to the court)	65.42
Hourly rate for attendance at court where Counsel is assigned (including conferences with Counsel at court)	35.68
Travelling and waiting hourly rate (only claimable where the undesignated area fees apply)	27.60
Additional fee for cases which fall outside the Standard Fee payment schemes (only claimable in cases falling under Category 1A or 2A in the table following sub-paragraph (5))	598.59

(5) The fees and fee limits for the Standard Fee payment scheme for representation in proceedings to which this paragraph applies are specified in the table following this sub-paragraph.

Higher and Lower Standard Fees table

	Lower Standard Fee (£)	***Lower Standard Fee Limit (£)***	***Higher Standard Fee (£)***	***Higher Standard Fee Limit (£)***
Designated Area Standard Fees				
Category 1A	884.61	313.19	1,141.17	542.63

	Lower Standard Fee (£)	*Lower Standard Fee Limit (£)*	*Higher Standard Fee (£)*	*Higher Standard Fee Limit (£)*
Category 1B	232.53	313.19	500.99	542.63
Category 2A	995.73	538.02	1,430.44	896.59
Category 2B	397.14	538.02	831.85	896.59
Undesignated Area Standard Fees				
Category 1A	882.47	313.19	1,072.74	542.63
Category 1B	182.01	313.19	437.81	542.63
Category 2A	919.96	538.02	1,335.67	896.59
Category 2B	321.37	538.02	737.08	896.59

(6) In the table following sub-paragraph (5)—

(a) the reference to "*Category 1A"* cases is a reference to the following proceedings (other than proceedings referred to in paragraph (c))—

(i) guilty pleas in proceedings relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low-value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence);

(ii) proceedings relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low-value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence),

which are discontinued or withdrawn or where the prosecution offers no evidence;

(iii) proceedings relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low-value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence),

which result in a bind over; and

(iv) proceedings arising out of a deferment of sentence (including any subsequent sentence hearing) under Chapter 1 of Part 2 of the Sentencing Code relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low-value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence);

(b) the reference to "*Category 1B"* cases is a reference to the following proceedings (other than proceedings referred to in paragraph (d))—

(i) summary only guilty pleas (other than proceedings referred to in paragraph (a)(i)(cc));

(ii) uncontested proceedings arising out of a breach of an order of a magistrates' court;

(iii) proceedings relating to summary offences which are discontinued or withdrawn or where the prosecution offers no evidence (other than proceedings referred to in paragraph (a)(ii)(cc));

(iv) proceedings relating to summary offences which result in a bind over (other than proceedings referred to in paragraph (a)(iii)(cc));

(v) proceedings arising out of a deferment of sentence (including any subsequent sentence hearing) under Chapter 1 of Part 2 of the Sentencing Code relating to summary offences (other than proceedings referred to in paragraph (a)(iv)(cc));

(vi) proceedings prescribed under regulation 9 of the Criminal Legal Aid (General) Regulations 2013(**a**), except where the case was listed and fully prepared for a contested hearing to decide whether an order should be made; and

(vii) proceedings relating to either way offences which must be tried summarily in accordance with section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small);

(c) the reference to *"Category 2A"* cases is a reference to the following proceedings —

(i) contested trials relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence);

(ii) proceedings relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence),

which were listed and fully prepared for trial but disposed of by a guilty plea on the day of trial before the opening of the prosecution case;

(**a**) S.I. 2013/9; amended by S.I. 2013/472, 2015/326, 2015/838, 2015/1416, 2020/8, 2022/1370 and 2024/58. Regulation 9 was also amended by paragraphs 410(2)(a) and (b),(3), (4), (5), (6)(a) and (b) and (7) of Schedule 24(5) to the Sentencing Act 2020 (c. 17) (subject to savings and transitional provisions specified in section 410 of and Schedule 24 Part 7 to that Act) and section 32(2) of the Offensive Weapons Act 2019 (c. 17) (in force only in relation to the purposes set out in regulation 2(1) of S.I. 2012/762; not yet in force otherwise); there are other amendments but none is relevant.

(iii) proceedings relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence),

which were listed and fully prepared for trial in the magistrates' court but are discontinued or withdrawn or where the prosecution offers no evidence or which result in a bind over on the day of trial before the opening of the prosecution case; and

(iv) proceedings relating to—

(aa) indictable only offences;

(bb) either way offences (other than proceedings referred to in paragraph (b)(vii)); or

(cc) low value shoplifting as defined in section 22A(3) of the 1980 Act (low-value shoplifting to be a summary offence),

where mixed pleas are entered;

(d) the reference to "*Category 2B"* cases is a reference to—

(i) contested trials relating to—

(aa) summary offences (other than proceedings referred to in paragraph (c)(i)(cc)); or

(bb) either way offences which must be tried summarily in accordance with section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small);

(ii) proceedings relating to—

(aa) summary offences (other than proceedings referred to in paragraph (c)(ii)(cc)); or

(bb) either way offences which must be tried summarily in accordance with section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small),

which were listed and fully prepared for trial in a magistrates' court but are disposed of by a guilty plea on the day of the trial before the opening of the prosecution case;

(iii) proceedings relating to—

(aa) summary offences (other than proceedings referred to in paragraph (c)(iii)(cc)); or

(bb) either way offences which must be tried summarily in accordance with section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small),

which were listed and fully prepared for trial in the magistrates' court but are discontinued or withdrawn or where the prosecution offers no evidence or which result in a bind over on the day of trial before the opening of the prosecution case;

(iv) proceedings relating to—

(aa) summary offences (other than proceedings referred to in paragraph (c)(iv)(cc)); or

(bb) either way offences which must be tried summarily in accordance with section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small),

where mixed pleas are entered;

(v) contested proceedings relating to a breach of an order of a magistrates' court; and

(vi) proceedings prescribed under regulation 9 of the Criminal Legal Aid (General) Regulations 2013 where the case was listed and fully prepared for a contested hearing to decide whether an order should be made.

(7) The fees payable to Assigned Counsel for representation in the youth court are subject to the limits specified in the table following paragraph 12.

(8) The fixed fee payable to a litigator in respect of a case sent for trial to the Crown Court is £208.61.

(9) In this paragraph—

"the 1933 Act" means the Children and Young Persons Act 1933(**a**);

"the 1980 Act" means the Magistrates' Courts Act 1980;

"youth court" has the same meaning as in section 45(1) (constitution of youth courts) of the 1933 Act.".

Application

3. —(1) These Regulations apply to matters in which a relevant determination is made on or after 6th December 2024.

(2) In this regulation, a "relevant determination" means a determination made 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.

Heidi Alexander
Minister of State
Ministry of Justice

13th November 2024

(**a**) 1933 c. 12; section 45 was amended by section 50(1) of the Courts Act 2003 (c. 39) and paragraph 20 of Schedule 4(1) to the Constitutional Reform Act 2005 (c. 4); section 46 was amended by Schedule 7 to the Justices of the Peace Act 1949 (c. 101), paragraph 4 of Schedule 5 to the Children and Young Persons Act 1969 (c. 54), paragraph 6 of Schedule 7 to the 1980 Act, paragraph 1(2) of Schedule 8 and paragraph 40(2)(a) of Schedule 11 to the Criminal Justice Act 1991 (c. 53), paragraph 74 of Schedule 8 to the Courts Act 2003 (c. 39), Schedule 11 there are other amendments but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend Schedule 4 to the Criminal Legal Aid (Remuneration) Regulations 2013 (S.I. 2013/435) which make provision 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) ("the Act").

Regulation 2(2) makes amendments to increase fees for advice and assistance at the police station.

Regulation 2(3) makes amendments to introduce fees for travel for the purposes of attendance by (i) duty solicitors who are members of certain specified schemes; or (ii) own solicitors whose office(s) are situated within certain specified areas, at certain specified police stations.

Regulation 2(5) makes (i) technical amendments to clarify the operation of the magistrates' court fee scheme; and (ii) amendments to introduce a new fee scheme for proceedings in the youth court and certain proceedings in the magistrates' court connected to youth justice.

These Regulations apply to matters in which a determination under section 13, 15 or 16 of the Act is made on or after 6th December 2024.

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 produced with the Government's response to the Crime Lower Consultation, published on 14th November 2024 and is available online at https://www.gov.uk/government/consultations/crime-lower-consultation. A hard copy is available from the Legal Aid Policy Team, Access to Justice Directorate, Justice and Courts Policy Group, Ministry of Justice, 102 Petty France, London SW1H 9AJ.

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