STATUTORY RULES OF NORTHERN IRELAND

# 2025 No. 199

# LEGAL AID AND ADVICE

## The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) (Amendment) Rules (Northern Ireland) 2025

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| *Made - - - -* | *12th December 2025* |
| *Coming into operation* | *7th January 2026* |

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 Lady Chief Justice, the Attorney General, the County Court Rules Committee and the Magistrates' Courts Rules Committee and it has obtained the approval of the Department of Finance.

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

**Citation and commencement**

**1.** These Rules may be cited as the Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) (Amendment) Rules (Northern Ireland) 2025 and shall come into operation on 7th January 2026.

**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 Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009(**c**).

**Application and transitional arrangements**

**3.** These Rules apply for the determination of costs which are payable in respect of work done under a criminal aid certificate granted under Article 28, 28A or 30 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 on or after 1st December 2024.

**4.** These Rules shall not apply for the determination of costs which are payable in respect of work done under a criminal aid certificate granted under Article 28 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 on or after 1st December 2024, where the assisted person was a child charged with an indictable only offence, and whose case was dealt with in the

(**a**) S.I. 1981/228 (N.I. 8).
(**b**) S.I. 1982/159 and S.I. 2010/976.
(**c**) S.R. 2009 No. 313.

magistrates' court as provided for under Article 17 of the Criminal Justice (Children) (Northern Ireland) Order 1998(**a**).

**5.** Where a certificate was granted under Article 28, 28A or 30 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 on or after 1st December 2024, and a representative's remuneration has been determined under rule 5 for work done under that certificate, the representative may claim, and the Department shall authorise, a claim for an additional amount equal to the difference between the amount determined under rule 5 and the amount that would have been determined in accordance with these Rules.

**6.** A claim under rule 5 of these Rules shall be submitted to the Department in such form and manner as it may direct and shall be accompanied by such particulars and documents as it may specify.

**Amendments to the Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009**

**7.** The Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009 are amended as follows.

**8.** In Rule 3—

(a) in paragraph (1), for "paragraph (2)", substitute "paragraphs (2) and (3)";

(b) after paragraph (2), insert—

"(3) Without prejudice to paragraph (2), these Rules shall also not apply for the determination of costs which are payable in respect of work done under a criminal aid certificate granted under Article 28 of the 1981 Order on or after 1st December 2024, where the assisted person was a child charged with an indictable only offence, and whose case was dealt with in the magistrates' court as provided for under Article 17 of the 1998 Order.".

**9.** In Schedule 1—

(a) in paragraph 1(1), after "made)", insert ", but excluding cases where the assisted person was a child charged with an indictable only offence, and whose case was dealt with in the magistrates' court as provided for under Article 17 of the 1998 Order";

(b) in paragraph 4, for "Subject to paragraph 5, the", substitute "The";

(c) omit paragraph 5;

(d) in paragraph 6(3), omit "or 5, as applicable";

(e) in paragraph 7—

(i) in sub-paragraph (1), for "sub-paragraph (2)", substitute "sub-paragraphs (2) and (3)"; and

(ii) after sub-paragraph (2), insert—

"(3) Where the assisted person was a child charged with an indictable only offence, whose case was dealt with in the magistrates' court as provided for under Article 17 of the 1998 Order, and whose case was heard on appeal in the county court, the standard fee payable under sub-paragraph (1) shall be enhanced by fifty per cent.";

(f) in paragraph 9(3)(b), for "£44.75", substitute "£51.91", and for "£29.25", substitute "£33.93";

(g) following paragraph 9, for the Table of Standard Fees, substitute the following Table—

"**Table 1 – Standard Fees**

| *(1)* | *Paragraph providing for* | *Solicitor's Fee* | *Counsel's Fee* |
|---|---|---|---|

(**a**) S.I. 1998 No. 1504 (N.I. 9).

| | *fee* *(2)* | *(3)* | *(4)* |
|---|---|---|---|
| **Cases heard in the magistrates' court** | | | |
| *Category of offence and nature of disposal of case* | | | |
| Summary offence | 4 | | |
| -Guilty Plea Fee | | £302 | N/A |
| -Contest Fee | | £545 | N/A |
| Hybrid or I/TS offence | 4 | | |
| - Guilty Plea Fee | | £319 | £319 |
| - Contest Fee | | £684 | £638 |
| Indictable only offence | 4 | | |
| - Guilty Plea Fee | | £348 | £348 |
| - Contest Fee | | £696 | £696 |
| Hybrid, I/TS or indictable only offence | 4 | | |
| - Committal Fee | | £951 | £928 |
| Compassionate Bail Application Fee | 6(1)(bb) | £209 | £209 |
| Other Bail Application Fee | 6 | £87 | £139 |
| Additional Hearing Fee | 8 | £232 per day | £232 per day |
| Additional Contest Preparation Fee | 8A | | |
| - Summary offence | | £87 | N/A |
| - Hybrid or I/TS offence | | £116 | £116 |
| - Indictable only offence | | £116 | £116 |
| Additional Committal Preparation Fee | 8B | £476 | £464 |
| **Cases appealed to the county court** | | | |
| *Nature of disposal of the appeal* | | | |
| Appeal against sentence fee | 7(1) | £307 | £267 |
| Appeal against conviction fee | 7(1) | £412 | £406 |
| Withdrawn appeal | 7(2) | £168 | £58 |
| Additional Hearing Fee | 8 | £232 per day | £232 per day |
| **Diversionary youth conferences (Preparation and Attendance)** | 9(1)(a) | | |
| Lower standard fee -Conferences lasting up to and including one hour | | £130 | £97 |
| Principal standard fee -Conferences lasting more than one hour but not exceeding two hours | | £209 | £157 |
| **Court-ordered youth conferences (Attendance only)** | 9(1)(b) | | |
| Lower standard fee -Conferences lasting up to and including one hour | | £81 | £81 |
| Principal standard fee -Conferences lasting more | | £130.50 | £130.50" |

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|---|
| than one hour but not exceeding two hours |

(h) in paragraph 12—

(i) in sub-paragraph (4) and (7), for "£50", substitute "£58"; and

(ii) in sub-paragraph (5A), omit "or 5, as applicable,";

(i) in paragraph 12A(2), omit "or 5, as applicable";

(j) in paragraph 13(4), for "£140", substitute "£162";

(k) in paragraph 14—

(i) in sub-paragraph (1), for "£75", substitute "£87"; and

(ii) in sub-paragraph (2), omit "or 5, as applicable";

(l) in paragraph 15(4), for "£100", substitute "£116";

(m) following paragraph 16, in Table 2—

(i) for "£50", substitute "£58";

(ii) for "£100", substitute "£116"; and

(iii) for "£120", substitute "£139";

(n) in paragraph 18, for "£75", substitute "£87";

(o) in paragraph 18A(2), for "£75", substitute "£87";

(p) in paragraph 19, for "£80", substitute "£93";

(q) in paragraph 21—

(i) in sub-paragraph (1)(a), for "£24.75 per hour; and", substitute "£60 per hour;";

(ii) in sub-paragraph (1)(b), for "court.", substitute "court; and"; and

(iii) after sub-paragraph (1)(b), insert—

"(c) Allow mileage, where payable, at the rate of 45p per mile.".

(iv) in paragraph 22—

(v) in sub-paragraph (1)(a), for "£12 per hour; and", substitute "£60 per hour;";

(vi) in sub-paragraph (1)(b), for "court.", substitute "court; and"; and

(vii) after sub-paragraph (1)(b), insert—

"(c) Allow mileage, where payable, at the rate of 45p per mile.".

Sealed with the Official Seal of the Department of Justice on 12th December 2025

L.S.

*Naomi R Long*
Minister of Justice

The Department of Finance hereby approves the Rules

Sealed with the Official Seal of the Department of Finance on 12th December 2025

L.S.

*Maryann Smith*
A senior officer of the Department of Finance

## EXPLANATORY NOTE

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

These Rules amend the Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009 which prescribe the remuneration for solicitors and counsel assigned under Articles 28, 28A or 30 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.

These Rules substitute increased levels of standard fees for guilty pleas, contests, committal hearings, applications and other additional fees. These fees are uplifted by 16%. The Rules also enhance the hourly rates for travel time and introduce a new mileage rate of 45p per mile. These Rules remove provisions for the remuneration of indictable only cases heard in the youth court as provided for under Article 17 of the Criminal Justice (Children) (Northern Ireland) Order 1998, which will instead be remunerated under the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005, as amended by the Legal Aid for Crown Court Proceedings (Costs) (Amendment) Rules (Northern Ireland) 2025.

These Rules, however, substitute an enhanced fee for indictable only youth court cases heard on appeal in the County Court.

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 1st December 2024, subject to a transitional provision (rule 5).

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