

Introduction and Summary

Service Pack 31 includes revisions to the Litigators Fee Scheme for the Crime module from August 2009. There is an increase to the fixed fees for Appeals and Committal for Sentence and a new fixed fee has been added for hearings subsequent to sentence. In addition, Pages of Evidence are now capped at 10,000. These changes are applicable to all Litigator Fee claims where the representation order is granted on or after 3rd August 2009.

Crime Module

Litigators Fee Changes

1. There has been a revision to Litigator payments for appeal and sentence fixed fees and the introduction of a new fee for hearings subsequent to sentence.

Fixed Fee changes

There has been an increase to the following fixed fee payments:

- Appeals against sentence from a Magistrates' Court
- Appeals against conviction from a Magistrates' Court
- Committal for sentence

The new fees are outlined in the table below.

Introduction of Hearing Subsequent to Sentence Fee

A new fee can be claimed for certain hearings subsequent to sentence which relate to the following:

- a) section 1CA of the Crime and Disorder Act 1998(5) (variation and discharge of orders under section 1C);
- b) section 155 of the Powers of Criminal Courts (Sentencing) Act 2000(6) (alteration of Crown Court sentence);
- c) section 74 of the Serious Organised Crime and Police Act 2005(7) (assistance by defendant: review of sentence).

Fixed Fee Changes for Litigators claims where the representation order date is on or after 3rd August 2009.

<i>Type of proceedings</i>	<i>Fee payable for Representation Orders Before 3 August 09 (£ per proceedings)</i>	<i>Fee payable for Representation Orders After 3 August 09 (£ per proceedings)</i>
Appeal against sentence from a Magistrates' Court	127.66	170.21
Appeal against conviction from a Magistrates' Court	340.43	382.98
Committal for sentence	212.77	255.32
Hearing Subsequent to Sentence	N/A	170.21
Contempt proceedings (where contempt is alleged to have been committed by a person other than the defendant)	127.66	127.66
Alleged breach of a Crown Court order	85.11	85.11

3. Pages of Prosecution Evidence capped at 10,000

The maximum page count for Litigators Fee claims has been reduced from 99,999 to 10,000. iLaw will cap any figure greater than 10,000 in the PPE box in section 2 of the Litigators Fee screen.

Section 2 : Case Details and Enhancements

Type of Case	T - Trial	Tax Point Date	05/08/2009
Trial Type	Trial	Number Of Defendants	1
Length Of Trial	4	Pages of Evidence*	10001 * Capped at 10,000 pages

Section 3 : Case Fee Totals

Description	Details / Calculation	Amount
Basic Fee	Offence Group[B] & Case Type [Trial]	1,202.92
Length of Trial Proxy		964.00
PPE Proxy		80,009.90
Total Case Fee		£82,176.82
Defendant Uplifts		£0.00
Overall total case fee		£82,176.82
VAT @ 15%		£12,326.52
Total inc VAT		£94,503.34

If a figure over 10,000 is entered, iLaw will cap the total shown in the PPE proxy row of the Case Fee Totals of Section 3.