

# Introduction and Summary

Service Pack 35 implements the July 2010 changes to the Prison Law scheme with fixed and graduated fees being introduced for advice and assistance and advocacy assistance matters respectively. There are also changes to Police Station ID scheme codes and fees along with new versions of some notable crime claim forms.

## SP35 Contents

Crime Module:

1. Police Station Scheme changes and new scheme introduction
2. Prison Law Fixed Fees

## Form Changes Crime July 2010

Form	Version	Applicable from
CDS2	Version 5	14 July 2010
CDS7	Version 9	14 July 2010
CDS18	Version 3	Applicable now

## New Crime Form

CDS5A - Application for Prior Approval to undertake a Prison Law Treatment Case  
Version 1 (14 July 2010)

# Crime Module

1. Police Station Scheme changes and new scheme introduction
  - a. Police Station Scheme Changes

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### Central Dorset Scheme

The Central Dorset Scheme and Central Dorset non-police station will no longer be valid for matters with the UFN date portion on or after 140710.

Blandford Police Station will be located in the Bridport/West Dorset scheme where the date portion of the UFN is on or after 140710. This scheme is renamed from Bridport/West Dorset/Weymouth and Dorchester. The new fixed fee is £164.26 excluding Vat with an exceptional case threshold of £492.78. This fee will also apply to the following police stations.

BR064	Lyme Regis
BR065	Bridport
BR066	Dorchester
BR067	Weymouth
BR049	Blandford
BR909	Bridport/ West Dorset Non-Police Station

The following Police Stations will be moved into the Poole East Dorset scheme for matters that have a date portion of the UFN on or after 140710. The fixed fee will be £168.00 excluding Vat with an exceptional case threshold of £515.73 excluding Vat.

BR044	Wareham
BR045	Swanage
BR046	Sturminster Newton
BR047	Sherborne
BR048	Shaftesbury
BR050	Royal Signals, Blandford
BR051	RMP Bovington Camp

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### **Malton and Rydale Scheme**

Pickering, Malton and Helmsley Police Stations in the Malton and Rydale Scheme will not be valid for matters with a UFN date portion on or after 140710.

#### b. New Police Station introduction

##### **Wymondham PIC Police Station**

Wymondham PIC Police Station (PS ID EA930) is a new police station added to the Norwich and District Scheme (Scheme code 9025). The Fee is £185.53 excluding Vat and the exceptional case threshold is £556.59 excluding Vat.

##### **Aylsham PIC Police Station**

Aylsham PIC Police Station (PS ID EA931) is a new police station added to the Cromer and North Walsham (Scheme code 9022). The Fee is £202.00 excluding Vat and the exceptional case threshold is £684.27 excluding Vat.

## 2. Prison Law Fixed Fees

The new fixed and graduated fee Prison Law scheme will apply to all Prison Law matters that begin on or after 14 July 2010. Matters that have a date portion of the UFN on or after 140710 will be subject to the new scheme. The case opening date will not be a factor. Matters that have a UFN date portion before 140710 will continue to be paid by reported costs. Exceptional claims will be flagged by iLaw when reported costs exceed the exceptional case threshold with payment subject to assessment.

### **Time Recording**

Prison Law matters will be remunerated by fixed fees according to the type of work entered in *Time Records*.

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Advice and Assistance (PRIA)

Advocacy Assistance at Prison disciplinary hearings (PRIB)

Advocacy Assistance at Parole Board hearings (PRIC)

Advocacy Assistance at Parole Board hearings has been added to the *Unit of Work* dropdown and will be applicable for all Prison Law matters. So if you have advocacy matters with a date portion of the UFN before 140710 these can also be billed with a PRIC code.

### Calculation of Fees

Advice and Assistance work recorded on Prison Law matters falling in the new scheme will be Subject to the fee of £220.00 plus any disbursements (subject or not subject to Vat).

New Prison Law scheme matters for Advocacy Assistance work will be subject to a lower or higher graduated fee depending upon whether the profit costs excluding vat and Waiting costs excluding Vat exceed the lower fee limit set for Advocacy assistance at prison disciplinary hearings or at parole board hearings. Travel costs will not be included in the calculation to determine the fee but will be reported in the submission for LSC Online.

The stage reached codes (PRIA, PRIB and PRIC) will determine the fee and exceptional case threshold applicable.

#### Free standing advice and assistance (PRIA) Fees and Exceptional Case Threshold

	<b>Excluding VAT</b>
Fee	£220.00
Exceptional Case Threshold	£660.00

#### Advocacy assistance at prison disciplinary hearings (PRIB) Fees and Exceptional Case Threshold

	<b>Excluding VAT</b>
Lower Fee	£223.48
Lower Fee Limit	£391.30

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Higher Fee	£618.26
Exceptional Case Threshold	£1,853.91

Advocacy assistance at Parole Board hearings (PRIC) Fees and Exceptional Case Threshold

	Excluding VAT
Lower Fee	£479.13
Lower Fee Limit	£1,023.48
Higher Fee	£1,593.91
Exceptional Case Threshold	£4,780.87

**Important:** Advice and Assistance work entered must be changed to Advocacy assistance if the matter is to be billed with stage reach codes PRIB or PRIC.

#### Zero Values for less than 48 minutes attendance/ advocacy

If the Profit Costs entered for a matter are less than the equivalent of 48 minutes of attendance (PRIA claims) or advocacy (PRIB and PRIC claims) this will result in a zero claim when billed. The matter will still show on the CDS6 and be reported with your monthly submission

#### Exceptional Cases

Profit costs excluding Vat and Waiting Costs excluding Vat only will be used for the Exceptional case threshold calculation which is set for each type of claim, advice and assistance (PRIA), advocacy assistance (PRIB or PRIC). iLaw will present a message when the matter billed has costs which have gone exceptional in section 5 of the Prison Law billing screen. A CDS18 can be created by using the CDS18 button that will also show in this section.

#### Exceptional Cases: Travel

You will be entitled to claim one hour for each journey rising to three hours for each journey if the client moves prison once the costs have already gone exceptional. iLaw will not provide any check or validation for these matters. You are advised to enter the Exceptional Case threshold for

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the Prison Law work undertaken as the Prison Law limit in the *Legal aid* section of the *Case Management* screen.

Prison Law claim	Exceptional Case Threshold
PRIA: Free standing advice and assistance	£660.00
PRIB: Advocacy assistance at prison disciplinary hearings	£1,853.91
PRIC: Advocacy assistance at Parole Board hearings	£4,780.87

You can then check that if the *Costs charged to date* shown in the *Details* menu in *Time Recording* are over the Exceptional Case Threshold (entered as the *Prison Law* limit showing in the same menu) the travel entered for each attendance stays within these LSC guidelines.

**Important.** The rates for Advice and assistance and Advocacy assistance will not be subject to London/ Non London rates.

#### Client Details: Prison ID

A Prison ID code must be selected for all Prison Law matters that are subject to the new fee scheme. Click on the three dotted button. Use the Prison Codes dropdown in the Search window to select the prison. The selection can also be made in the billing screen.

#### Prison Law Limits

Prison Law costs limits can be entered in the Case Management screen Legal aid tab and will show in the Time Recording screen when the Legal Aid Class selected is Prison Law.

#### Prison Law billing and Bulk Load Submission

Prison Law matters subject to the new fee scheme require the selection of the following for correct bulk load submission to LSC online.

- Outcome Code

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- Matter Type Code (in place of Offence Code)
- Prison ID (in place of the PS/ Court ID)

**Note:** The Youth Court selection will no longer be applicable to the bulk upload and will be ignored by LSC online.

### Prison Law Outcome Codes

The following Outcome Code selections will apply to Prison Law matters subject to the fixed and graduated fees. One of these must be selected for the CDS6/ Bulk load SPOCC submission

PL01	Discontinued	PL08	Adjudication Cracked Hearing
PL02	Change of Solicitor	PL09	Parole Paper Hearing
PL03	Written Representations Successful	PL10	Parole Oral Hearing Successful
PL04	Written Representations Refused	PL11	Parole Oral Hearing Not Successful
PL05	Adjudication Guilty Plea	PL12	Proceeded to Judicial Review
PL06	Adjudication Guilty After Hearing	PL13	No further action
PL07	Adjudication Not Guilty After Hearing		

### Prison Law Matter Type Codes

The Prison Law billing screen requires a **Matter Type** code to be selected for bulk load submission where the **Offence Code** is selected for other criminal matters. Codes 1 – 16 will show for Investigations and Proceedings matters.

Code	Item	Code	Item
17	Licence conditions and arrangements	25	Prison conditions
18	Sentence planning and/or calculations	26	Treatment by staff
19	Categorisations	27	Discrimination
20	Segregation	28	Communications and visits

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21	CSC and DSPD units referrals and assessments	29	Mother and baby issues
22	Resettlement issues and planning	30	Compassionate release
23	Minimum term review applications	31	Behaviour Courses
24	Other sentence issues	32	Other treatment

**Breakdown of Costs**

You will be able to see the breakdown of costs for Prison Law matters included in the monthly submission in the *Breakdown of Monthly Totals* situated in the *View Breakdown* screen.