

NOTICE OF CONTRACT AMENDMENTS

AMENDMENTS TO THE UNIFIED CONTRACT (CRIME) (JULY 2008)

FOR THE PURPOSES OF IMPLEMENTING THE MINISTRY OF JUSTICE'S PROPOSALS FOR LEGAL AID REFORM: FUNDING REFORMS

To be implemented on 6 April 2010

The contract amendments set out in this notice, which have been subject to consultation with the Consultative Bodies, will be incorporated into the Unified Contract (Crime) July 2008 at 00.01 am on 6 April 2010 under Clause **13.2** of the Unified Contract (Crime) July 2008 Standard Terms.

Background

On 20 August 2009, the Ministry of Justice (MoJ) published a consultation, "Legal Aid: Funding Reforms", which sought views on a number of proposals to reform aspects of the Legal Aid scheme. In particular, the consultation considered reducing police station fees in areas where fees are most expensive and proposed a fixed fee payable under the Litigators Graduated Fees Scheme (LGFS) for committal hearings, other than those where the proceedings were dismissed or withdrawn at committal.

The response to consultation was published on 16 December 2009. In their response, the MoJ confirmed their intention to introduce:

- the revised police station fixed fees, which were set out in Annex B to the consultation response; and
- a fixed fee of £318 (including travel and waiting and excluding VAT) for committal hearings which will be paid as part of the Litigators Graduated Fee Scheme. Where a representation order is dated on or after 6 April 2010, a provider will only be able to claim their costs under the magistrates' court standard fee scheme in the Unified Contract (Crime) if the case is withdrawn or dismissed at the committal hearing.

Ministers have decided to implement the fees which were set out at Annex B of the Consultation Response and on 9 March 2010 made the **Criminal Defence Service (Funding) (Police Station Advice and Assistance) Order 2010** which comes into force on 6 April 2010. This Funding Order obliges the LSC to replace Annex 1 to the Specification with the Annex 1 in the Schedule to that Funding Order, and we have set out the replacement Annex 1 in this Contract Notice.

Ministers have also decided to introduce the new fixed fee for committal payments into Schedule 2 of the CDS Funding Order 2007. On 9 March 2010 Ministers made the **Criminal Defence Service (Funding) (Amendment) Order 2010** which amends the LGFS on 6 April 2010 and these new

provisions relating to committal fees will apply to all representation orders made on or after 6 April 2010.

These Funding Orders are legislation which the LSC has to take account of, and which have necessitated an amendment to the Unified Contract (Crime) under Clause 13.2 of the Standard Terms.

Amendments to Unified Contract (Crime) July 2008 Specification and replacement Annex 1 to the Specification

The following amendments to the Unified Contract (Crime) July 2008 are summarised and set out below.

1. Amendment to the text of paragraph B2.2.11(20) and the table below that paragraph which clarify the circumstances when a Category 3 fee may be claimed.
2. Amendment to the text of paragraph to B2.2.11(22) to clarify that a Category 3 fee will no longer be claimable in circumstances where a case is transferred to a new provider at the time of the committal hearing
3. Amendment to the text of paragraph B2.2.11 (24) to clarify that a Category 3 fee will no longer be claimable in circumstances where a warrant has been issued and the case has reached the committal stage
4. Annex 1(Police Station Attendance Fixed Fees) is replaced entirely by the Annex 1 in the Schedule to the Criminal Defence Service (Funding) (Police station Advice and Assistance) Order 2010

Amendments to Unified Contract (Crime) July 2008 Specification

All the following amendments (1-4) to the Specification take effect from 6 April 2010 and shall have effect for the remaining duration of the Unified Contract (Crime) July 2008. They are also accessible on our website at www.legalservices.gov.uk following the link Criminal Defence Service:

www.legalservices.gov.uk/criminal/contracting/unified_contract_crimejul08.asp

in the following clauses, additions are shown in **bold** and deletions are shown in *italics*.

1. B2.2.11(20) The Categories and Types of Proceedings Table is set out below which indicates which category each of the different types of proceedings falls into[.]. **For the avoidance of doubt, you may only claim a Category 3 Fee in circumstances where you Client's case is discontinued or withdrawn at the committal hearing. Your costs in Cases which are committed to the Crown Court are claimable under the CDS (Funding) Order 2007 (as amended).**

The table following B2.2.11(20) will be amended as follows:

3.1 [<i>Committal</i>] Proceedings [<i>including those</i>] which are discontinued or withdrawn at committal.
[<i>3.2 Proceedings which are transferred under section 4 of the Criminal Justice Act 1987 or section 53 of the Criminal Justice Act 1991.</i>]

2. B2.2.11(22) Subject to paragraph B2.2.11(23) below, where there is a change of firm assigned under a Representation Order, the proceedings will be treated as category 1 proceedings for the purposes of a Claim for costs in respect of work done under the Representation order by the firm formerly assigned. [*except where a Case includes proceedings referred to at items 3.1 or 3.2 of the Categories and Proceedings Table above, in which case the proceedings will be treated as category 3 proceedings for the purposes of the formerly assigned firm's costs.*]

3. B2.2.11(24) Where proceedings have not been concluded but a warrant of arrest has been issued, the proceedings will be treated as category 1 proceedings. *[except where a Case includes proceedings referred to at items 3.1 and 3.2 of the Categories and Proceedings Table above in which case the proceeding will be treated as Category 3 proceedings.]*

4. Annex 1 (Police Station Attendance Fixed Fees) will be replaced with the following Annex 1, from the Schedule to the Criminal Defence Service (Funding) (Police station Advice and Assistance) Order 2010. The use of bold or italics in Annex 1 has no significance other than for clarity of layout.

Annex 1

Police Station Attendance Fixed Fees

The fees set out in this Annex are exclusive of VAT.

Table 1

Regional Office 1: Newcastle

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Cleveland	Hartlepool	144	444.27	1001
	Teeside	149	457.02	1002
Durham	Darlington	169.36	508.08	1003
	South Durham	167	513.18	1004
	Durham	195	607.65	1005
	Derwentside	188.09	564.27	1006
	Easington	183	561.69	1007
Northumbria	South East	162.55	487.65	1008
	Northumberland			
	Newcastle upon Tyne	151	464.67	1009
	Gateshead	156.60	469.80	1010
	North Tyneside	154	472.35	1011
	South Tyneside	146	449.37	1012
	Sunderland; Houghton Le Spring	163	502.98	1013
	Berwick & Alnwick	194	597.45	1014
Tynedale & Hexham	169	520.86	1015	

Table 2

Regional Office 2: Bristol

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Avon & Somerset	Avon North & Thornbury	195	615.33	2001
	Bath & Wansdyke	211.91	635.73	2002
	Mendip; Yeovil & South Somerset	237.45	712.35	2003
	Bristol	175.32	525.96	2004
	Sedgemoore; Taunton Deane	199	674.04	2005
	Weston-Super-Mare	198.30	594.90	2006
	Dorset	Central Dorset	200	600
Bournemouth & Christchurch		159.15	477.45	2008
Poole East Dorset		168	515.73	2009
Bridport West Dorset;		160	480	2010
Weymouth & Dorchester				
Wiltshire	Salisbury	191	587.22	2011
	Chippenham; Trowbridge	205.96	617.88	2012
Gloucestershire	Swindon	188	579.57	2013
	Cheltenham	173	533.61	2014
	Gloucester	170	523.41	2015
	Stroud	195	600	2016
Devon & Cornwall	Barnstaple	190.64	571.92	2017
	Exeter	169.36	508.08	2018
	Plymouth	196.60	589.80	2019
	East Cornwall	218	740.43	2020
	Carrick; Kerrier (Camborne); Penwith	195	617.88	2021
	Teignbridge; Torbay	178.72	536.16	2022

Table 3

Regional Office 3: Birmingham

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Staffordshire	Stoke on Trent; Leek	195	617.88	3001
	Stafford; Cannock & Rugeley	195	600	3002
	Lichfield & Tamworth; Burton Upon	189	582.12	3003

Warwickshire	Trent; Uttoxeter			
	Leamington; Nuneaton; Rugby	195.74	587.22	3004
West Mercia	Hereford; Leominster	170.21	510.63	3005
	Kidderminster; Redditch	217.87	653.61	3006
West Midlands	Shrewsbury	182	559.14	3007
	Telford	189	582.12	3008
	Worcester	198.30	594.90	3009
	Sandwell	193	592.35	3010
	Wolverhampton & Seisdon	193	592.35	3011
	Dudley & Halesowen	189.79	569.37	3012
	Walsall	195	602.55	3013
	Birmingham	195	620.43	3014
	Solihull	205.11	615.33	3015
	Coventry	168.51	505.53	3016

Table 4

Regional Office 4: Cardiff

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Dyfed Powys	Amman Valley	195	625.53	4001
	Camarthens East	221.28	663.84	4002
	Dyfed			
	Llanelli	152	467.22	4003
	Brecon & Radnor	222.98	668.94	4004
	Mid Wales	170.21	510.63	4005
Gwent	North Ceredigion; South Ceredigion	223.83	671.49	4006
	Pembrokeshire	183	564.27	4007
	East Gwent	186	571.92	4008
	Newport	183	561.69	4009
	Lower Rhymney Valley; North Bedwellty; South Bedwellty	195	610.20	4010
	North Wales	Bangor & Caernarfon	207.66	622.98
South Wales	Colwyn Bay	190	584.67	4012
	Denbighshire	206.81	620.43	4013
	Dolgellau	206.81	620.43	4014
	Mold & Hawarden	195	607.65	4015
	North Anglesey	216.17	648.51	4016
	Pwlheli	146.38	439.14	4017
	Wrexham	177.02	531.06	4018
Cardiff	195	643.41	4019	

Vale of Glamorgan	228.09	684.27	4020
Cynon Valley	195	617.88	4021
Mid Glamorgan & Miskin	195	643.41	4022
Merthyr Tydfil	195	638.31	4023
Port Talbot	240	811.92	4024
Newcastle & Ogmore	195	653.61	4025
Neath	198	671.49	4026
Swansea	188	579.57	4027

Table 5

Regional Office 5: Liverpool

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Merseyside	Bootle & Crosby	178	546.39	5001
	Southport	148.94	446.82	5002
	Liverpool	196.60	589.80	5003
	St Helens	168	518.31	5004
	Knowsley	181	556.59	5005
	Wirral	173	531.06	5006

Table 6

Regional Office 6: Manchester

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Cheshire	Crewe & Nantwich;	193	592.35	6001
	Sandbach & Congleton;			
	Macclesfield			
	Warrington;			
Cumbria	Halton	169.36	508.08	6002
	Chester; Vale Royal (Northwich)	176.17	528.51	6003
	Barrow in Furness	168.51	505.53	6004
	Kendal & Windermere	200.85	602.55	6005
	Penrith; Carlisle	189.79	569.37	6006
	Whitehaven; Workington	157.45	472.35	6007
	Greater Manchester	Manchester	195	643.41
Greater Manchester	Stockport	183.83	551.49	6009
	Trafford	195	612.78	6010
	Salford	195	625.53	6011
	Bolton	180.43	541.29	6012
	Bury	175.32	525.96	6013

Lancashire	Wigan	186.38	559.14	6014
	Rochdale;	185.53	556.59	6015
	Middleton			
	Tameside	171	525.96	6016
	Oldham	150.64	451.92	6017
	Burnley;	177.87	533.61	6018
	Rossendale			
	Blackburn;	195	635.73	6019
	Accrington;			
	Ribble Valley			
	Blackpool	138.72	416.16	6020
	Fleetwood	142.13	426.39	6021
	Lancaster	174.47	523.41	6022
	Chorley;	191.49	574.47	6023
Ormskirk; South Ribble & Leyland				
Preston	156.60	469.80	6024	

Table 7
Regional Office 7: Brighton

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Kent	Dartford & Gravesend	255.32	765.96	7001
	Ashford & Tenterden;	225	763.41	7002
	Dover;			
	Folkestone			
	Medway	224.68	674.04	7003
	Swale	266.38	799.14	7004
	Maidstone & West Malling	237.45	712.35	7005
	Canterbury;	195	661.29	7006
	Thanet			
	West Kent (Tonbridge)	228.09	684.27	7007
Surrey	Guildford & Farnham	197	668.94	7008
	North West Surrey (Woking)	215	730.20	7009
	South East Surrey	227	771.06	7010
	Epsom	230	781.29	7011
	Staines	264	893.61	7012
	Sussex	Brighton & Hove & Lewes	201	681.69
Chichester & District		178	546.39	7014
Crawley;		250.21	750.63	7015
Horsham				
Hastings		156	480.00	7016
Worthing	180	554.04	7017	

Eastbourne	189.79	569.37	7018
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Table 8

Regional Office 8: Nottingham

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Derbyshire	East Derbyshire (Ripley); Ilkeston	226.38	679.14	8001
	Ashbourne; Matlock; High Peak (Buxton)	208.51	625.53	8002
	Chesterfield	194.89	584.67	8003
	Derby; Swadlincote	195	625.53	8004
Leicestershire	Ashby & Coalville; Loughborough; Melton Mowbray	199.15	597.45	8005
	Leicester	195	605.10	8006
	Hinkley; Market Harborough	221.28	663.84	8007
	Lincolnshire	190	584.67	8008
Lincolnshire	Boston; Bourne; Stamford	190	584.67	8008
	Skegness	171.06	513.18	8009
	Lincoln; Gainsborough	177.02	531.06	8010
	Grantham & Sleaford	175	538.71	8011
Nottinghamshire	Mansfield	176	541.29	8012
	Newark	197.45	592.35	8013
	Nottingham	196.60	589.80	8014
	Worksop & East Retford	187	574.47	8015
Northamptonshire	Corby (Kettering); Wellingborough; Northampton	172.77	518.31	8016
		187.23	561.69	8017

Table 9

Regional Office 9: Cambridge

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Bedfordshire	Bedford	184	566.82	9001
	Luton	195	658.71	9002
Cambridgeshire	Cambridge	178	548.94	9003
	Ely	195	630.63	9004
	Huntingdon	189.79	569.37	9005
	March & Wisbech	188.09	564.27	9006
	Peterborough	156.60	469.80	9007

Essex	Basildon	195	602.55	9008	
	Brentwood	273	926.82	9009	
	Braintree	218	737.88	9010	
	Clacton & Harwich;	195	617.88	9011	
	Colchester				
	Grays	255	865.53	9012	
	Harlow & Loughton	255	865.53	9013	
	Stanstead	282	957.45	9014	
	Rayleigh;	182.98	548.94	9015	
	Southend on Sea				
	Chelmsford;	193	594.90	9016	
	Witham				
	Hertfordshire	Dacorum (Hemel Hempstead)	230	778.71	9017
		Bishop's Stortford; East Hertfordshire	279	947.22	9018
Stevenage & North Hertfordshire		259	878.31	9019	
St Albans		235	796.59	9020	
Watford		231	783.84	9021	
Norfolk		Cromer & North Walsham	202	684.27	9022
	Great Yarmouth	184.68	554.04	9023	
	Kings Lynn & West Norfolk	180.43	541.29	9024	
	Norwich & District	185.53	556.59	9025	
	Diss; Thetford	192	589.80	9026	
	Dereham	217	735.33	9027	
	Suffolk	Lowestoft;	185.53	556.59	9028
		Beccles & Halesworth;			
Aldeburgh					
Felixstowe;		188.94	566.82	9029	
Ipswich & District;					
Woodbridge					
Sudbury & Hadleigh; Bury St Edmunds;	195	605.10	9030		
Haverhill;					
Newmarket					

Table 10

Regional Office 10: Reading

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Thames Valley	Abingdon,	229	776.16	1131

	Didcot & Witney (South Oxfordshire)			
	Aylesbury	217.87	653.61	1132
	High Wycombe & Amersham	209	709.80	1133
	Milton Keynes	181	556.59	1134
	Bicester; North Oxon (Banbury)	213	722.55	1135
	Oxford	213	722.55	1136
	Reading	206.81	620.43	1137
	Slough (East Berkshire)	229	776.16	1138
	West Berkshire (Newbury etc)	191.49	574.47	1139
Hampshire	Aldershot; Petersfield (North East Hampshire)	219	742.98	1140
	Andover; Basingstoke; Winchester (North West Hampshire)	230.64	691.92	1141
	Isle of Wight	188.09	564.27	1142
	Portsmouth; Waterlooville (South East Hampshire)	193.19	579.57	1143
	Gosport & Fareham	235.74	707.22	1144
	South West Hampshire (Southampton)	217.87	653.61	1145

Table 11

Regional Office 11: Leeds

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
Humberside	Grimsby & Cleethorpes	147.23	441.69	1201
	Scunthorpe	158	487.65	1202
	Hull	168	515.73	1203
	Beverley; Bridlington	195	643.41	1204
	Goole	200	676.59	1205
North Yorkshire	Northallerton & Richmond	210.21	630.63	1206
	Harrogate & Ripon	201.70	605.10	1207
	Skipton, Settle & Ingleton	195	600	1208
	Scarborough;	167	513.18	1209

	Whitby			
	Malton & Rydale	160.85	482.55	1210
	York; Selby	175	538.71	1211
South Yorkshire	Barnsley	174	536.16	1212
	Doncaster	168	515.73	1213
	Rotherham	178	548.94	1214
	Sheffield	183	564.27	1215
West Yorkshire	Halifax	190.64	571.92	1216
	Huddersfield	160.85	482.55	1217
	Dewsbury	174.47	523.41	1218
	Bradford	149	459.57	1219
	Keighley & Bingley	168	515.73	1220
	Leeds	158	485.10	1221
	Pontefract & Castleford	154.89	464.67	1222
	Wakefield	153	469.80	1223

Table 12

Regional Office 12: London

<i>Criminal Justice System Area</i>	<i>Scheme</i>	<i>Fixed Fee (£)</i>	<i>Exceptional Case Threshold (£)</i>	<i>Code</i>
London	Barking	246	834.90	1301
	Bexley	220	745.53	1302
	Bishopsgate	257	870.63	1303
	Brent	240	811.92	1304
	Brentford	244	827.22	1305
	Bromley	232	786.39	1306
	Camberwell Green	240	814.47	1307
	Central London	260	880.86	1308
	Clerkenwell; Hampstead	243	822.12	1309
	Croydon	237	801.69	1310
	Ealing	252	855.33	1311
	Enfield	239	809.37	1312
	Greenwich; Woolwich	229	776.16	1313
	Haringey	247	837.45	1314
	Harrow	240	814.47	1315
	Havering	224	758.31	1316
	Heathrow	301	1021.29	1317
	Hendon; Barnet	242	819.57	1318
	Highbury Corner	252	852.78	1319
	Kingston-Upon- Thames	250	847.65	1320
	Newham	241	817.02	1321
	Old Street	240	814.47	1322
	Redbridge	247	837.45	1323
	Richmond-Upon- Thames	264	893.61	1324
	South London	252	852.78	1325

Sutton	239	809.37	1326
Thames	239	809.37	1327
Tower Bridge	255	865.53	1328
Uxbridge	231	783.84	1329
Waltham Forest	224	760.86	1330
West London	258	875.73	1331
Wimbledon	245	829.80	1332
