

## **Outcome Code Guidance**

### **Purpose**

1. The outcome code indicates the furthest point to which the Case or Matter progressed and the outcome achieved for the client. The outcome code does not indicate which category of standard fee is being claimed. This information will be recorded on the CDS11, which is retained on file and checked on audit.
2. The appropriate outcome code can only be determined once the Case or Matter has reached the end of the relevant Class of Work (thereby triggering a claim) or has been disposed of finally.
3. Outcome codes only apply to Matters and Cases in the Criminal Investigations Class of Work (1A to 1F) and magistrates' court representation under a Representation Order in the Criminal Proceedings Class of Work (2E to 2G). From 17 May 2004 all CDS Suppliers operating under the General Criminal Contract will be required to use the revised outcome codes set out below when reporting work in the Investigations Class under the claim codes 1A to 1F and in the Criminal Proceedings Class 2E to 2G.
4. Outcome codes will no longer be required for Advocacy Assistance (2B) or for Free Standing Advice and Assistance in the Proceedings Class of Work (2A) as both these types of claim are being abolished. Residual work reported against these two claim codes, on or after 17 May, will not require an outcome code.
5. No outcome code is required when submitting a claim for Court Duty Solicitor work.

### **Format**

6. The code consists of two characters. The first is a letter that determines the individual outcome within the Class of Work. The second is a number that indicates the specific Class of Work. The number will remain constant for the particular Class of Work.
7. The number key is as follows:  
  
1 = Criminal Investigations  
  
2 = Criminal Proceedings
8. It is important to note that the outcome codes are not interchangeable between Classes of Work, e.g. A2 cannot be used for a Criminal Investigations claim and A1 cannot be used for a Criminal Proceedings claim.

CODE	DESCRIPTION
	<b>Criminal Investigations</b>
A1	No further instructions received from client
B1	Change of solicitor
C1	Client not a suspect/defendant on a criminal charge
D1	No further action to be taken
E1	Client released following reprimand / warning / caution
F1	Client charged with / summoned for a criminal offence
	<b>Criminal Proceedings</b>
A2	Arrest warrant issued / adjourned indefinitely
B2	Change of solicitor
C2	Representation order withdrawn
D2	Acquitted at trial of all contested Matters
E2	Convicted at trial of some contested Matters but acquitted of other contested Matters
F2	Convicted at trial of all contested Matters
G2	Proceedings discontinued where the Matter has <u>not</u> been listed for trial
H2	Proceedings discontinued where the Matter has been listed for trial
I2	Guilty plea to all Matters put where the Matter has <u>not</u> been listed for trial
J2	Guilty plea to all Matters put where the Matter has been listed for trial
K2	Mix of guilty plea(s) and discontinuance or not guilty plea accepted where the Matter has <u>not</u> been listed for trial
L2	Mix of guilty plea(s) and discontinuance where the Matter has been listed for trial
M2	Committal and transfers for trial to Crown Court (election by client)
N2	Committal and transfers for trial to Crown Court (direction of the court)
O2	Committal proceedings that are discharged
P2	Extradition
Z2	Matter concluded on or before 16 May 2004 and reported on or after 17 May 2004

## **Application of Specific Codes**

### **Criminal Investigations**

#### **A1 No further instructions received from client**

9. This code must be used when you are claiming because your client has not made any further contact with you even though the Matter has not concluded and you are not aware that their instructions have been transferred.
10. Initial contact can cover any help given through Advice and Assistance, Police Station Telephone Advice, Police Station Attendance, Warrants of Further Detention and armed forces custody hearings. The Contract Specification stipulates that one month must pass since the last contact with the client before any claim can be made. (Part A, paragraph 2.4.2(c)).
11. This code can only be used when claiming in accordance with 2.4.2(c), i.e. where you have had no contact from your client for at least a month. It must not be used in relation to a claim in relation to Part A, paragraph 2.4.2(b)

#### **B1 Change of solicitor**

12. This code must be used when you have been advised by your client(s) that they no longer wish to instruct you and the Matter has not been disposed of.

#### **C1 Client not a suspect/defendant on a criminal charge**

13. This claim code must only be used when free standing Advice and Assistance and/or Police Station Attendance has been given to a client who is not directly the subject of a criminal investigation but qualifies for Advice and Assistance e.g. a witness at risk of self incrimination.

#### **D1 No further action to be taken**

14. This code should only be used when the client(s) has been released without a reprimand, warning, summons or charge.

#### **E1 Client released following reprimand/warning/caution**

15. This code should only be used when the client(s) has been released following a reprimand, warning or caution. Any level of assistance can have been given, namely Advice and Assistance, Police Station Telephone Advice, Police Station Attendance, Warrants of Further Detention and armed forces custody hearings.

### **F1 Client charged with /summoned for a criminal offence**

16. This claim code should only be used when the client(s) has been charged with or summoned for a criminal offence. Any level of assistance can have been given.

## **Criminal Proceedings**

### **General Guidance**

17. The outcome codes for criminal proceedings have been revised to give us more information on the actual outcome achieved for the client and the stage at which that outcome was reached. These codes apply to all Matters concluded on or after 17 May 2004.
18. Matters that are **committed to the Crown Court for sentence** or end with a **Newton Hearing** should be given the outcome code that represents the actual outcome of the Matter in the magistrates' court. For instance, a client who was convicted of some Matters but acquitted of others, before a committal for sentence or Newton Hearing, should have the outcome code E2 – Convicted at trial of some contested Matters but acquitted of other contested Matters.
19. Matters that are **remitted back from the Crown Court** should be given the outcome code that represents the final outcome of the Matter in the magistrates' court.
20. When **deciding whether or not a case has been listed for trial**, (outcome codes G2-L2) the definition used for standard fee purposes should be used. CRIMLA 41 provides that a case is to be treated as listed for trial whenever it is adjourned following a not guilty plea, irrespective of whether the court actually lists the trial date at that point or simply adjourns to a pre-trial review date.

### **A2 Arrest warrant issued / adjourned indefinitely**

21. This code must be used when you are claiming because an arrest warrant has been issued or the court has adjourned the Matter, without a decision, indefinitely. Note: where an arrest warrant has been issued, Part C, paragraph 1.2 says that a claim for costs shall be made not earlier than six weeks from the date of issue of the warrant.
22. This code can only be used when claiming in accordance with Part A, paragraph 3.4.4(c). It must not be used in relation to a claim under Part A, paragraph 3.4.4(b).

### **B2 Change of solicitor**

23. This code must be used when you have been advised by your client(s) that they no longer wish to instruct you and the representation order is transferred to another supplier.

**C2 Representation order withdrawn**

24. This code must be used when the representation order has been withdrawn or revoked before a conclusion to the case is reached.

**D2 Acquitted at trial of all contested Matters**

25. This code must be used when the client is acquitted at trial of all contested Matters (whether or not there are other guilty pleas). This code also includes contested breach proceedings.

**E2 Convicted at trial of some contested Matters but acquitted of other contested Matters**

26. This code must be used when the client is convicted at trial of some contested Matters but is acquitted of other contested Matters (whether or not there are other guilty pleas). This code also includes contested breach proceedings where the client is convicted of some breaches and acquitted of others in a separate information or charge.

**F2 Convicted at trial of all contested Matters**

27. This code must be used when the client is convicted at trial of all contested Matters (whether or not there are other guilty pleas). This code also includes contested breach proceedings. It should not be used for any other outcome.

**G2 Proceedings discontinued where the Matter has not been listed for trial**

28. This code must be used when the proceedings have been discontinued and the Matter has not been listed for trial. This code also includes breach proceedings.

**H2 Proceedings discontinued where the Matter has been listed for trial**

29. This code must be used when the proceedings have been discontinued after the Matter has been listed for trial. This code also includes breach proceedings.

**I2 Guilty plea to all Matters put where the Matter has not been listed for trial**

30. This code must be used when guilty pleas have been entered to all Matters put where the Matter has not been listed for trial. This code also includes breach proceedings.

**J2 Guilty plea to all Matters put where the Matter has been listed for trial**

31. This code must be used when guilty pleas have been entered to all Matters put where the Matter has been listed for trial. This code also includes breach proceedings.

**K2 Mix of guilty plea(s) and discontinuance, or not guilty plea accepted, where the Matter has not been listed for trial**

32. This code must be used when a guilty plea has been entered to one or more Matters, one or more other Matters have been discontinued, or the Crown accepted a not guilty plea and formally offered no evidence, and the Matter has not been listed for trial. This code also includes breach proceedings.

**L2 Mix of guilty plea(s) and discontinuance where the Matter has been listed for trial**

33. This code must be used when a guilty plea has been entered to one or more Matters, one or more other Matters have been discontinued, and the Matter has been listed for trial. This code also includes breach proceedings.

**M2 Committal and transfers for trial to Crown Court (election by client)**

34. This code must be used when the client has elected on any one Matter to have the Matter tried at the Crown Court.

**N2 Committal and transfers for trial to Crown Court (direction of the court)**

35. This code must be used when the court has declined jurisdiction to deal with the Matter and committed it to the Crown Court for trial.
36. This code does not include Committals to Crown Court for sentence. Cases that are committed for sentence should be given the outcome that relates to the actual outcome of the Matter in the magistrates' court. For example, if the client was convicted at trial of all contested Matters and was then committed to the Crown Court for trial, the F2 outcome code, 'Convicted at trial of all contested hearings' would be used.

**O2 Committal proceedings that are discharged**

37. This code must be used when committal proceedings (however those arose) have been discharged.

**P2 Extradition**

38. This code must be used for extradition hearings.

**Z2 Matter concluded on or before 16 May 2004 and reported on or after 17 May 2004**

39. This code must be used for all Matters, whatever the outcome, that were concluded on or before 16 May 2004 and are reported after 17 May 2004.