

**LORD CHANCELLOR'S DIRECTION GIVEN UNDER
THE LEGAL AID IN CRIMINAL PROCEEDINGS (COSTS)
RULES (NORTHERN IRELAND) 1992**


Direction No. 10

EXTRADITION CASES

The Lord Chancellor hereby directs under rule 4(1) of the Legal Aid in Criminal Proceedings (Costs) Rules (Northern Ireland) 1992 that:

1. Subject to the terms of this direction, the costs payable to solicitors and counsel in respect of work done for a person granted free legal aid under section 184 of the Extradition Act 2003 shall be determined by the appropriate authority in accordance with those Rules.
2. In determining the costs payable under the Rules, where a solicitor or counsel, as the case may be, claims a standard fee as set out in Appendix 2 to this direction, and if satisfied that the work in respect of which the fee is claimed has been reasonably undertaken and properly done, the appropriate authority shall allow the relevant standard fee in the amount shown in Appendix 2 and in accordance with the Notes set out in that Appendix.

Signed by authority of the Lord Chancellor



BRIDGET PRENTICE MP
Parliamentary Under-Secretary of State

Dated: 28 March 2010

APPENDIX 1

SOLICITORS' FEES

1. The rates payable to a solicitor for work carried out under a criminal aid certificate granted under section 184 of the Extradition Act 2003, in connection with proceedings before a County Court or High Court, as applicable, are as set out in the table below.

Table 1: Solicitors

<i>Class of work</i>	<i>Grade of fee-earner</i>	<i>Rate</i>
Preparation	Senior solicitor	£53.00 per hour
	Solicitor or fee-earner of equivalent experience	£45.00 per hour
	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£29.75 per hour
Advocacy	Senior solicitor	£64.50 per hour
	Solicitor	£56.00 per hour
Attendance at court where counsel assigned	Senior solicitor	£42.25 per hour
	Solicitor or fee-earner of equivalent experience	£34.00 per hour
	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£20.50 per hour
Travelling and waiting	Senior solicitor	£24.75 per hour
	Solicitor or fee-earner of equivalent experience	£24.75 per hour
	An apprentice or a pupil to a solicitor or fee-earner of equivalent experience	£12.50 per hour

Routine letters written and routine telephone calls		£3.45 per item
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Reduced and Enhanced Rates

2. In respect of any item of work, the appropriate authority may allow fees at less than the relevant basic rate specified in the above table where it appears to the appropriate authority reasonable to do so having regard to the competence and dispatch with which the work was done.
3. In respect of any item of work, the appropriate authority may allow fees at more than the relevant basic rate specified in the above table where it appears to the appropriate authority that, taking into account all the relevant circumstances of the case, the amount of fees payable at such specified rate would not reasonably reflect:
 - (a) the exceptional competence and dispatch with which the work was done, or
 - (b) the exceptional circumstances of the case.
4. Where the appropriate authority consider, in accordance with paragraph 3 above, that any item of work should be allowed at more than the specified rate, the appropriate authority will apply to that item of work a percentage enhancement in accordance with paragraph 5 below.
5. The relevant basic rate will not be enhanced by more than 100 per cent.

COUNSEL'S FEES

6. Work undertaken by assigned counsel under a criminal aid certificate granted under section 184 of the Extradition Act 2003, in connection with proceedings before a County Court or High Court, as applicable, must be claimed at the rates set out in the table below.

Table 2: Assigned Counsel

	Junior Counsel	Queen's Counsel
Basic fee	Maximum amount: £468.00	Maximum amount: £4,446.00
Full day refresher fee	Maximum amount: £162.00	Maximum amount £297.00 per day

Subsidiary fees:		
Attendance at consultations and views	£29.25 per hour Minimum amount: £14.50	£54.50 per hour Minimum amount: £28.00
Written work	Maximum amount: £51.25	Maximum amount: £105.00
Attendance at applications and other appearances	Maximum amount: £94.00	Maximum amount: £205.00

7. Where an hourly rate is specified in the above table, the appropriate authority shall determine any fee for such work in accordance with that hourly rate, provided that the fee determined shall not be less than the minimum amount specified.
8. Where a refresher fee is claimed in respect of less than a full day, the appropriate authority shall allow such fee as appears to it reasonable having regard to the fee which would be allowable for a full day.

9. Where it appears to the appropriate authority, taking into account all the relevant circumstances of the case, that owing to the exceptional circumstances of the case the amount payable by way of fees in accordance with the above table would not provide reasonable remuneration for some or all of the work it has allowed, it may allow such amount as appears to it to be reasonable remuneration for the relevant work.

APPENDIX 2

STANDARD FEES

	County Court
Solicitors	£255
Counsel	£286

NOTES:

- (a) In respect of solicitors, travelling expenses may be added to the fee where claimed.
- (b) Where a solicitor or counsel represents more than one defendant in the same case, only one fee will be payable. The fee will be enhanced by 20% for each defendant represented after the first defendant.