

NOTICE OF CONTRACT AMENDMENTS

AMENDMENTS TO THE 2010 STANDARD CRIME CONTRACT

FOR THE PURPOSES OF IMPLEMENTING THE CRIMINAL DEFENCE SERVICE (FUNDING) (AMENDMENT) ORDER 2012

To be implemented on 1 April 2012

The amendments set out in this notice, which have been subject to an agreed limited contract consultation with the Consultative Bodies, will be incorporated into the 2010 Standard Crime Contract at 00.01 am on 1 April 2012 under Clauses **13.2, 13.6** and/or **13.7** of the Standard Terms.

Background

In response to Consultative Bodies' concerns, Ministers have decided to clarify the magistrates' court payment provisions set out in the Criminal Defence Service (Funding) (Amendment) Order 2011 that have applied since 3 October 2011.

On 9 March 2012 the Ministry of Justice laid the Criminal Defence Service (Funding) (Amendment) Order 2012 ("Order"), which comes into force on 1 April 2012. This Order clarifies the payment provisions that apply in magistrates' courts cases by further defining two categories of cases, to be known from 1 April 2012 as category 1A and category 1B. Category 1A cases are paid at a higher rate than category 1B. In broad terms, category 1A includes either way offences that result in a guilty plea in the magistrates' courts and other similar proceedings. Category 1B includes summary only cases that result in a guilty plea in the magistrates' court and other similar proceedings.

The Order is legislation which the LSC has to take account of, and which have necessitated appropriate amendments to the 2010 Standard Crime Contract Specification under Clauses 13.2, 13.6 and/or 13.7 of the Standard Terms.

Amendments to the 2010 Standard Crime Contract Specification

Full details of the amendments to the 2010 Standard Crime Contract Specification to implement MoJ's clarification of magistrates' court payment provisions referred to above can be found in the following documents that are accessible on the LSC webpage at http://www.legalservices.gov.uk/criminal/contracting/2010_crime_contract.asp.

- Specification 2012 Part B Apr 12
- Payment Annex Apr 12

A summary of the changes made in these documents is outlined below:

Specification 2012 Part B Apr 12

1. Amend paragraphs 10.65, 10.91, 10.93, 10.94 (a) and 10.95 as follows:
 - replace “category 1 (either way)” with “category 1A”; and
 - replace “category 1 (summary only)” with “category 1B”.
2. Amend the table in paragraph 10.91 to clarify proceedings that are covered by category 1A and category 1B.

Payment Annex Apr 12

1. Amend the Designated Area Standard Fees and Undesignated Area Standard Fees tables in the Payment Annex that relates to “Representation in the magistrates’ court” as follows:
 - replace “category 1 (either way)” with “category 1A”; and
 - replace “category 1 (summary only)” with “category 1B”.