

The Lord Chancellor is making legislative changes in order to set out all the fees relating to existing and future very high cost case (VHCC) Crime Contracts in secondary legislation, which will come into force on 2 December 2013, subject to Parliamentary approval. The legislative changes will be made and laid before Parliament from 1 November 2013 and can be found at <http://www.legislation.gov.uk/new>.

As the fees will be set out in secondary legislation, the LAA has removed, from 2 December 2013, all fees from the following existing VHCC Crime Contracts held by providers¹, following consultation with the Consultative Bodies:

- 2013 VHCC Contract (for organisations); and
- 2013 VHCC Contract (for self-employed advocates) (together known in this document as “**the 2013 VHCC Contracts**”);

- 2010 VHCC Contract (for organisations); and
- 2010 VHCC Contract (for self-employed advocates) (together known in this document as “**the 2010 VHCC Contracts**”);

- 2008 VHCC (Crime) Panel Contract for Panel Members (including contract annexes); and
- 2008 VHCC (Crime) Panel Contract for Panel Advocates (including contract annexes) (together known in this document as “**the 2008 VHCC Panel Contracts**”).

The three tables below provide:

- *A summary of the amendments; and*
- *The rationale for the amendments.*

¹ All new VHCC Contracts entered into from 2 December 2013 will no longer contain the fees as these intend to be set out in the applicable legislation.

Table 1: Existing 2013 VHCC Contracts	
Summary of proposed amendments	Rationale for Proposed Amendments
<ul style="list-style-type: none"> • Include definition of, and various references to, the Criminal Remuneration Regulations in the Specification. • Amend definition of “Payment Rates” and delete Section 7 (“Payment Rates”). 	<p>Rates applicable to VHCC Work under the 2013 VHCC Contracts will be set out in the Criminal Legal Aid (Remuneration) Regulations 2013.</p>

Table 2: Existing 2010 VHCC Contracts	
Summary of proposed amendments	Rationale for Proposed Amendments
<ul style="list-style-type: none"> • Include definition of, and various references to, the Criminal Defence Service (Very High Cost Cases) (Funding) Order 2013 in the Specification. • Amend definition of “Payment Rates” and delete Section 7 (“Payment Rates”). 	<p>Rates applicable to VHCC Work under the 2010 VHCC Contracts will be set out in the Criminal Defence Service (Very High Cost Cases) (Funding) Order 2013.</p>

Table 3: Existing 2008 VHCC Panel Contracts	
Summary of proposed amendments	Rationale for Proposed Amendments
<ul style="list-style-type: none"> • Include definition of, and various references to the Criminal Defence Service (Very High Cost Cases) (Funding) Order 2013 in the 2008 VHCC Panel Contracts. • Delete Annex 7 (“Rates of Pay”) from the 2008 VHCC Panel Contract for Panel Members and Annex 5 (“Rates of Pay”) from the 2008 VHCC Panel Contract for Panel Advocates. 	<p>Rates applicable to VHCC work under the 2008 VHCC Panel Contracts will be set out in the Criminal Defence Service (Very High Cost Cases) (Funding) Order 2013.</p>

**MOJ Corporate Advisory Team
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