

News story: Crime news: start of amended Advocates' Graduated Fee Scheme

Important amendments have been made to the Advocates' Graduated Fee Scheme (AGFS) which come into force on 31 December 2018.

The changes under scheme 11 apply to all Crown Court cases falling under the AGFS with a representation order granted on or after 31 December 2018.

What are the changes?

The changes include moving around 40 offences to different bandings, re-introducing the 'very unusual' criteria to 'special preparation' and fee increases as follows:

- basic fees for trials, guilty pleas and cracked trials in sexual offences involving children, dishonesty cases, drugs cases, and a range of other offences
- daily attendance fees and basic fees for trials, guilty pleas and cracked trials in standard cases
- fees for ineffective trials, appeals against sentence and conviction, and elected cases not proceeded
- all other fees by 1%

These changes were outlined in the government's response to the consultation paper, which was published on 10 December:

[Amending the Advocates' Graduated Fee Scheme](#)

How to claim

From 31 December, providers should claim online in the usual way, via Claim for Crown Court Defence (CCD):

[Claim for Crown Court defence](#)

Guidance

We have also updated our guidance documentation and fee calculators. These should be used for cases with a representation order dated on or after 31 December 2018:

[Crown Court fee guidance](#)

[Graduated Fee Calculators](#)

We will continue to engage with the representative bodies to improve our guidance where possible. Any updates will be published on the Crown Court fee guidance page.

Use latest 'Banding of Offences' document

The updated 'Banding of Offences' document for scheme 11 will help you in the claiming process.

This has been published by the Ministry of Justice and will allow you to check that cases are being claimed under the correct band of offence for scheme 10 and scheme 11. It is available here:

[Banding of offences in the Advocates' Graduated Fee Scheme](#)

When selecting a file to download you should note that version 1.1 relates to scheme 10 and version 1.2 relates to scheme 11.

Ancillary hearings

Some ancillary hearings and the second day of trial were 'unbundled' from the basic fee under both scheme 10 and scheme 11 when compared to scheme 9.

Advocates should make sure that they claim for these hearings where they are applicable.

Further information

advocates-fee@justice.gov.uk: AGFS claim enquiries

servicedevelopment@justice.gov.uk: enquiries about guidance, FAQs or calculators

crowncourtdefence@digital.justice.gov.uk: general enquiries only – for specific enquiries about claiming in CCD users should use the feedback link within the service

[Advocates' Graduated Fee Scheme claims](#): to download 'special preparation' forms and paper contingency forms

[Criminal Legal Aid \(Remuneration\) \(Amendment No.2\) Regulations 2018](#): updated regulations laid on 10 December 2018