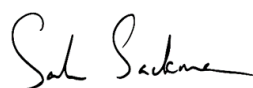


Title: Government Response to the Consultation on Criminal Legal Aid Proposals for Solicitor Fee Scheme Reform IA No: MoJ027/2025 RPC Reference No: n/a Lead department or agency: Ministry of Justice (MoJ) Other departments or agencies: Legal Aid Agency (LAA)		Impact Assessment (IA) Date: 01/12/2025 Stage: Final Source of intervention: Domestic Type of measure: Secondary Legislation Contact for enquiries: Criminal.LegalAidPolicy@justice.gov.uk		
Summary: Intervention and Options		RPC Opinion:		
Cost of Preferred (or more likely) Option (in 2025 prices)				
Total Net Present Social Value N/A	Business Net Present Value N/A	Net cost to business per year N/A	Business Impact Target Status N/A	
What is the problem under consideration? Why is government action or intervention necessary? The Criminal Legal Aid Independent Review (CLAIR), published in November 2021, considered criminal legal aid provision in England and Wales, including the criminal legal aid remuneration system, in its entirety. In its response to CLAIR, the previous government increased overall funding for criminal legal aid solicitor fees by 9% in 2022. This was raised to a total of 12% following the Crime Lower fee scheme reforms set out in November 2024. In December 2024, the Lord Chancellor announced additional investment in the criminal legal aid solicitor fee schemes to increase the total funding available for solicitor fees by 12%, bringing the overall uplift in funding for solicitor fees since CLAIR to 24%. This increase in funding means around £92m more per year, with a range of between £82m to £103m to reflect the uncertainty in this estimate, once the proposals are fully implemented. The additional funding will support the sustainability of the criminal legal aid market. This Impact Assessment, along with the government response to the Solicitor Fee Scheme Reform consultation, outlines how the new investment will be distributed. Government intervention via secondary legislation is required to support the sustainability of legal aid provision for those defendants unable to fully afford their own defence.				
What are the policy objectives of the action or intervention and the intended effects? The Government considers these proposals necessary to support access to justice, better achieve the aim of reflecting and paying for work done, and to bring greater stability to the criminal legal aid market.				
What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base) <ul style="list-style-type: none"> Option 0 / Do nothing: Retain the existing arrangements for the police station, the magistrates' courts, the Crown Court - Litigators' Graduated Fee Scheme (LGFS), prison law, and the appeals fee schemes. Option 1a: Harmonise police station attendance fees. Option 1b: Uplift magistrates' courts fees by 10%. Option 1c: Increase LGFS basic fees for trials for offence types with the lowest basic fees and introduce a fixed ratio of 65:75:100 between guilty plea, cracked trial, and trial basic fees for all offence types. Option 1d: Uplift prison law fees by 24%. Option 1e: Uplift appeals fees by 10%. The Government's preferred option is Option 1 (a – e). This option best enables us to deliver the Government's commitment to invest in criminal legal aid and ensure the investment reaches the market this Parliament.				
Is this measure likely to impact on international trade and investment?			N/A	
Are any of these organisations in scope?	Micro N/A	Small N/A	Medium N/A	Large N/A
What is the CO2 equivalent change in greenhouse gas emissions?			Traded: 0	Non-traded: 0
Will the policy be reviewed? It will be reviewed.		If applicable, set review date: After implementation		

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister



Date:

17.11.25

Summary: Analysis & Evidence

Policy Option 1a

Description: Harmonise police station attendance fees

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: N/A
2025	2025				

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	£58m	N/A
High	N/A	£71m	N/A
Best Estimate	£0.12m	£65m	N/A

Description and scale of key monetised costs by 'main affected groups'

- The additional steady state annual cost to the legal aid fund for police stations is £65m, within a range of £58m to £71m. The best estimate of £65m brings the total cost to £92m when combined with the £13m for the magistrates' courts, £10m for the Crown Court - LGFS, £4m for prison law, and £0.2m for appeals.
- There will also be a one-off business as usual cost to the LAA of implementing the necessary changes required. This is envisaged to be around £0.12m. We do not anticipate any significant change in volumes due to the police stations proposal, however, the LAA has allocated one full-time equivalent (FTE) as a precautionary measure to process any additional claims.

Other key non-monetised costs by 'main affected groups' N/A

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	£58m	N/A
High	N/A	£71m	N/A
Best Estimate	N/A	£65m	N/A

Description and scale of key monetised benefits by 'main affected groups'

An additional steady state annual benefit of £65m (best estimate) to firms, within a range of £58m to £71m.

Other key non-monetised benefits by 'main affected groups'

Legal aid clients will benefit from a better-functioning and more sustainable legal aid market that provides a good quality service. A better-functioning legal aid market might have a positive impact on other public services.

Key assumptions/sensitivities/risks	Discount rate (%)
	N/A

The key assumptions/sensitivities/risks for the above estimates are presented below. For a full description please refer to the Risks and Assumptions section of this Impact Assessment.

The main risk is that modelling uses police station volumes of cases based on 2024-25 closed case data. Police station volumes may see an increase owing to external factors, for example, further police recruitment. The impact of changes in police station volumes is considered further in the sensitivity

BUSINESS ASSESSMENT (Option 1a)

Direct impact on business (Equivalent Annual)	Score for Business Impact Target (qualifying provisions only) £m: N/A
Costs: N/A Benefits: N/A Net: N/A	

Summary: Analysis & Evidence

Policy Option 1b

Description: Uplift magistrates' courts fees by 10%

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: N/A
2025	2025				

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	£11m	N/A
High	N/A	£16m	N/A
Best Estimate	£0.04m	£13m	N/A

Description and scale of key monetised costs by 'main affected groups'

- The additional steady state annual cost to the legal aid fund for magistrates' courts is £13m, within a range of £11m to £16m. The best estimate of £13m brings the total cost to £92m when combined with the £65m for police stations, £10m for the Crown Court - LGFS, £4m for prison law, and £0.2m for appeals.
- There will also be a one-off business as usual cost to the LAA of implementing the necessary changes required. This is envisaged to be around £0.04m.

Other key non-monetised costs by 'main affected groups' N/A

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	£11m	N/A
High	N/A	£16m	N/A
Best Estimate	N/A	£13m	N/A

Description and scale of key monetised benefits by 'main affected groups'

Additional steady state annual benefit to firms of £13m (best estimate), within a range of £11m to £16m.

Other key non-monetised benefits by 'main affected groups'

Legal aid clients will benefit from a better-functioning and more sustainable legal aid market that provides a good quality service. A better-functioning legal aid market might have a positive impact on other public services.

Key assumptions/sensitivities/risks	Discount rate (%)	N/A
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The key assumptions/sensitivities/risks for the above estimates are presented below. For a full description please refer to the Risks and Assumptions section of this Impact Assessment.

The main risk is that modelling uses magistrates' courts volumes of cases based on 2024-25 closed case data. The impact of changes in magistrates' courts volumes, owing to a change, for example, in sitting days as a result of future Government policy, is considered further in the sensitivity analysis.

BUSINESS ASSESSMENT (Option 1b)

Direct impact on business (Equivalent Annual)			Score for Business Impact Target (qualifying provisions only) £m: N/A
Costs: N/A	Benefits: N/A	Net: N/A	

Description: Increase LGFS trial basic fees for offence types with the lowest basic fees and introduce a fixed ratio of 65:75:100 between guilty plea, cracked trial, and trial basic fees for all offence types

FULL ECONOMIC ASSESSMENT

Price Base Year 2025	PV Base Year 2025	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: N/A

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A		£9m	N/A
High	N/A		£12m	N/A
Best Estimate	£0.3m		£10m	N/A

Description and scale of key monetised costs by ‘main affected groups’

- The additional steady state annual cost to the legal aid fund for Crown Court - LGFS is £10m, within a range of £9m to £12m. The best estimate of £10m brings the total to £92m when combined with the £65m for police stations, £13m for the magistrates’ courts, £4m for prison law, and £0.2m for appeals.
- There will also be a one-off business as usual cost to the LAA of implementing the necessary changes required. This is envisaged to be around £0.3m.

Other key non-monetised costs by ‘main affected groups’ N/A

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A		£9m	N/A
High	N/A		£12m	N/A
Best Estimate	N/A		£10m	N/A

Description and scale of key monetised benefits by ‘main affected groups’

An additional steady-state annual benefit of £10m (best estimate) to firms, within a range of £9m to £12m.

Other key non-monetised benefits by ‘main affected groups’

Legal aid clients will benefit from a better-functioning and more sustainable legal aid market that provides a good quality service. A better-functioning legal aid market might have a positive impact on other public services.

Key assumptions/sensitivities/risks	Discount rate (%)	N/A
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The key assumptions/sensitivities/risks for the above estimates are presented below. For a full description please refer to the Risks and Assumptions section of this Impact Assessment.

The main risk is that modelling uses LGFS volumes and case mix based on 2024-25 closed case data. LGFS volumes and case mix may change as a result of the Government’s ambition to reduce the Crown Court outstanding caseload and/or due to future Government policies. The impact of changes in LGFS volumes beyond those forecast under the current steady state is considered further in the sensitivity analysis.

BUSINESS ASSESSMENT (Option 2c)

Direct impact on business (Equivalent Annual)			Score for Business Impact Target (qualifying provisions only) £m: N/A
Costs: N/A	Benefits: N/A	Net: N/A	

Summary: Analysis & Evidence

Policy Option 1d

Description: Uplift prison law fees by 24%

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: N/A
2025	2025				

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	£3.5m	N/A
High	N/A	£4.3m	N/A
Best Estimate	£0.08m	£3.9m ¹	N/A

Description and scale of key monetised costs by 'main affected groups'

- The additional steady state annual cost to the legal aid fund for prison law is £3.9m, within a range of £3.5m to £4.3m. The best estimate of £3.9m brings the total cost to £92m when combined with the £65m for police stations, £13m for magistrates' courts, £10m for the Crown Court – LGFS, and £0.2m for appeals.
- There will also be a one-off business as usual cost to the LAA of implementing the necessary changes required. This is envisaged to be around £0.08m.

Other key non-monetised costs by 'main affected groups' N/A

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	£3.5m	N/A
High	N/A	£4.3m	N/A
Best Estimate	N/A	£3.9m	N/A

Description and scale of key monetised benefits by 'main affected groups'

Additional steady state annual benefit to solicitors' firms of £3.9m (best estimate), within a range of £3.5m to £4.3m.

Other key non-monetised benefits by 'main affected groups'

Legal aid clients will benefit from a better-functioning and more sustainable legal aid market that provides a good quality service. A better-functioning legal aid market might have a positive impact on other public services.

Key assumptions/sensitivities/risks	Discount rate (%)	N/A
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The key assumptions/sensitivities/risks for the above estimates are presented below. For a full description please refer to the Risks and Assumptions section of this Impact Assessment.

The main risk is that modelling uses prison law volumes of cases based on 2024-25 closed case data. The impact of changes in prison law volumes is considered further in the sensitivity analysis.

BUSINESS ASSESSMENT (Option 3d)

Direct impact on business (Equivalent Annual)			Score for Business Impact Target (qualifying provisions only) £m: N/A
Costs: N/A	Benefits: N/A	Net: N/A	

¹ Where the prison law additional cost best estimate is presented alongside the range, the value has been rounded to the nearest £100k to match the rounding used for the lower and upper cost estimates (i.e. the range).

Summary: Analysis & Evidence

Policy Option 1e

Description: Uplift appeals fees by 10%

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: N/A	High: N/A	Best Estimate: N/A
2025	2025				

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	N/A	£0.16m	N/A
High	N/A	£0.21m	N/A
Best Estimate	-	£0.18m ¹	N/A

Description and scale of key monetised costs by 'main affected groups'

- The additional steady state annual cost to the legal aid fund for appeals is £0.18m. The best estimate of £0.18m brings the total cost to £92m when combined with the £65m for police stations, £13m for magistrates' courts, £10m for the Crown Court - LGFS, and £4m for prison law.
- There will also be a one-off business as usual cost to the LAA of implementing the necessary changes required. There is currently no estimate available for the appeals area.

Other key non-monetised costs by 'main affected groups' N/A

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	N/A	£0.16m	N/A
High	N/A	£0.21m	N/A
Best Estimate	N/A	£0.18m	N/A

Description and scale of key monetised benefits by 'main affected groups'

Additional steady state annual benefit to firms of £0.18m (best estimate), within a range of £0.16m to £0.21m.

Other key non-monetised benefits by 'main affected groups'

Legal aid clients will benefit from a better-functioning and more sustainable legal aid market that provides a good quality service. A better-functioning legal aid market might have a positive impact on other public services.

Key assumptions/sensitivities/risks	Discount rate (%)	N/A
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The key assumptions/sensitivities/risks for the above estimates are presented below. For a full description please refer to the Risks and Assumptions section of this Impact Assessment.

The main risk is that modelling uses appeals volumes of cases based on 2024-25 closed case data. The impact of changes in appeals volumes is considered further in the sensitivity analysis.

BUSINESS ASSESSMENT (Option 1e)

Direct impact on business (Equivalent Annual)			Score for Business Impact Target (qualifying provisions only) £m: N/A
Costs: N/A	Benefits: N/A	Net: N/A	

¹ Where the appeals additional cost best estimate is presented alongside the range, the value has been rounded to the nearest £10k to match the rounding used for the lower and upper cost estimates (i.e. the range).

Evidence base

A. Background

1. The Criminal Legal Aid Independent Review (CLAIR) was commissioned in December 2020. It considered criminal legal aid provision in England and Wales. CLAIR was undertaken by Sir Christopher Bellamy QC (as he then was).
2. CLAIR was set up to consider the criminal legal aid system in its entirety – the service being provided and how it is procured and paid for, with particular reference to five themes: resilience, transparency, competition, efficiency, and diversity (as set out in the terms of reference).²
3. CLAIR had two main objectives:
 - a) To reform the criminal legal aid fee schemes so that they:
 - fairly reflect, and pay for, work done;
 - support the sustainability of the market, including recruitment, retention, career progression within the professions and a diverse workforce;
 - support just, efficient, and effective case progression; limit perverse incentives, and ensure value for money for the taxpayer;
 - are consistent with and, where appropriate, enable, wider reforms;
 - are simple, and place proportionate administrative burdens on providers, the LAA, and other government departments and agencies; and
 - ensure cases are dealt with by practitioners with the right skills and experience.
 - b) To reform the wider criminal legal aid market to ensure that the provider market:
 - responds flexibly to changes in the wider system, pursues working practices and structures that drive efficient and effective case progression, and delivers value for money for the taxpayer;
 - operates to ensure that legal aid services are delivered by practitioners with the right skills and experience; and
 - operates to ensure the right level of legal aid provision and to encourage a diverse workforce.
4. The CLAIR report was published in November 2021 and recommended a 15% uplift to criminal legal aid fees. In response to CLAIR, the previous government increased overall funding for the solicitor profession by 9%. This uplift came into force on 30 September 2022.
5. A consultation on allocating an additional £21.1m as part of longer-term reforms to criminal legal aid fees was then launched. The government responded to that consultation in November 2022 and based on the responses, allocated £16m of the additional funds for police station work and the remaining £5.1m to Youth Court fees.
6. The Crime Lower Consultation, published in 2024, then outlined the details of allocating the additional £21.1m investment across the Police Station fee schemes and Youth Court fees. The Crime Lower Consultation was based on 2022-23 data. However, data for 2023-24 showed a significant increase in police station attendance volumes, which affected the projected overall cost of the fee increases. This brought the total investment to around £24m

² CLAIR Terms of Reference: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/946615/terms-of-reference.pdf

and raised the overall funding increase for criminal legal aid solicitors since CLAIR to 12%, as reflected in the 2024 consultation response.

7. From December 2024, the following changes to the fee schemes have been in force:
 - Firstly, £18.5m was invested into the police station fee schemes, to harmonise the lowest non-London and the lowest London fees. The police station fixed fees vary by geographic area ('scheme'). This investment covered approximately 80% (199 out of the 245) of the police station fee schemes.
 - Secondly, a separate Youth Court fee scheme was introduced, with the magistrates' courts scheme as its basis. This meant that indictable only³ and triable either way offences could receive an enhanced fixed fee, to reflect the gravity of these cases. This was an investment of £5.1m and reflected a substantial increase to spending on Youth Court fees. Additionally, police station travel remuneration was introduced for a limited number of schemes - specifically those with fewer than two providers, as well as for the Isle of Wight.
8. To further support the sustainability of the criminal legal aid solicitor market, in December 2024, the Lord Chancellor announced additional investment in the criminal legal aid solicitor fee schemes to increase the total funding available for solicitor fees by a further 12%. This increase brings the overall uplift in funding for solicitor fees since CLAIR to 24% and means around an additional £92m per year in steady state once the proposals are fully implemented.
9. This additional funding is fundamental to addressing ongoing challenges in the criminal justice system – helping it to operate effectively and efficiently to deliver justice for victims.
10. We consulted on proposals for investing the additional £92m in May 2025. This Impact Assessment (IA) accompanies the government response to the consultation and summarises how this funding will be allocated – covering work carried out by legal aid providers at police stations, in magistrates' courts, in the Crown Court, in prisons, and on appeals, in relation to people accused of or charged with criminal offences. A description of each of these is provided below.
11. The solicitor fee scheme changes outlined in this consultation response currently amount to a best estimate total of around £92m a year in steady state, within a range of £82m to £103m that reflects the uncertainty. The best estimate total has increased since the consultation stage, when the best estimate was £88m. This is primarily due to the underlying data being updated to 2024-25 figures whereas it was previously based on 2023-24. There has been an increase in volumes across most areas over this period:
 - Police stations: +5%
 - Magistrates' courts: +5%
 - Prison law: +6%
 - Crown Court – LGFS: +7%
 - Appeals: -13%
12. It should be noted that an increase in Crown Court - LGFS volumes was already factored into the consultation steady state estimates. Therefore, the increase seen in Crown Court -

³ The only indictable only and either way offences that will not receive the enhanced fee are proceedings relating to 'either way offences which must be tried summarily in accordance with section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small)'.

LGFS volumes in the 2024-25 data simply reduces the amount left to reach the estimated spend in steady state, which remains unchanged.

13. The first part of the Independent Review of the Criminal Courts (IRCC)⁴ was published on 9 July 2025. The report made recommendations aimed at reforming the criminal courts to ensure cases are dealt with proportionately, in light of the current pressures on the Crown Court. Some of Sir Brian's proposals relate to areas of the consultation. The Government will respond separately to Part 1 of Sir Brian's report in detail and respond in due course. We expect Sir Brian to finalise the second part of his review – on court efficiency – in due course.

Police station fee scheme

14. Non-means tested legal aid is available to provide advice and assistance to anyone arrested and interviewed under caution. Work in the police station is paid for by fixed fees, and these vary by geographic area ('scheme').
15. The fixed fee model was introduced in 2008 and was applied with varying rates based on location – 245 different schemes divided into 42 criminal justice system areas. This model replaced hourly rates and means that one fixed fee is payable for a case, based on a set amount of hours and is designed so that complex and simple cases are paid the same fixed fee, on the basis that payments will balance out overall. Generally, cases where the work done exceeds a prescribed threshold - usually where the work done exceeds the fixed fee by three times or more - can be paid an 'escape' fee, which is remunerated at hourly rates (with some minor exceptions).
16. In 2021, CLAIR recommended that different rates based on individual police stations be phased out. In November 2024 we announced a £18.5m increase in funding for police station fees, which allowed us to increase around 80% of the schemes in London and outside London to the same level. This was a first step towards harmonisation – phasing out geographic variation.
17. The current proposal for the police station fee scheme is to complete this process of harmonisation by uplifting all schemes to a fixed fee of £320 (excluding VAT). This fee is above the current highest fixed fee paid, that for the Heathrow scheme, which is £315.86 (excluding VAT). This proposal will therefore deliver an increase to all fees in the police station fee scheme.
18. It should be noted that the original consultation proposal suggested harmonising the escape fee threshold at three times the new fixed fee of £320 (excluding VAT) i.e. at £960 (excluding VAT), reflecting the historical ratio between fixed fees and the escape fee thresholds. However, feedback from the consultation indicated that this suggested threshold was set too high. In response, we reviewed the method used to determine the threshold.
19. Based on that review, the escape fee threshold will now be harmonised based on the mean escape fee threshold, weighted by case volume. This is the same methodology used in the December 2024 police station attendance fee changes, which applied separately to London and non-London schemes at the time.
20. As a result of the review following the consultation, the escape threshold will be reduced to £650 (excluding VAT). The revised threshold will be approximately two times the harmonised fixed fee of £320 (excluding VAT).

⁴ Independent Review of the Criminal Courts:

https://assets.publishing.service.gov.uk/media/686be85d81dd8f70f5de3c1f/35.49_MOJ_Ind_Review_Criminal_Courts_v8b_FINAL_WEB.pdf

Magistrates' courts fee scheme

21. A defendant can obtain legal aid in the magistrates' courts if they are eligible financially and the interests of justice test is met. The magistrates' courts fee scheme is based on standardised fees, and the sum of hours worked determines whether the case is paid the lower standard or higher standard fee or, exceptionally, a non-standard fee paid at hourly rates.
22. A duty solicitor can offer free legal advice and representation to people on their first appearance at court (not at trial), regardless of financial circumstances. Duty solicitors are paid an hourly rate for their attendance at the magistrates' courts.
23. Whilst CLAIR found that the structure of the fee scheme worked effectively and retained relative simplicity, it recommended an increase to the fees. Following the Government Response to CLAIR, a 15% uplift was applied to the standard fees, and all other hearing fees in the magistrates' courts and associated courts listed in schedule 4 of the Criminal Legal Aid (Remuneration) Regulations 2013. This uplift included the hourly rates where cases are paid on a non-standard fee basis.
24. In 2024, changes to sentencing powers in the magistrates' courts were announced, allowing magistrates to impose custodial sentences of up to 12 months for a single offence – doubling the previous limit. This reform is expected to save approximately 2,000 days in the Crown Court by enabling more sentencing hearings to be retained in the magistrates' courts.
25. More recently, we have seen an increase in the volume of completed work taking place in the magistrates' courts.⁵ This may, in part, be due to the changes to sentencing powers, although there are several other factors in play that might affect workload.
26. Following the consultation, the government is going ahead with implementing a 10% uplift on all fees for the magistrates' courts. This uplift will include the duty solicitor hourly rates and the Youth Court fees (which are included in the magistrates' courts fee scheme), along with the Youth Court enhanced fee that was implemented in December 2024.

Crown Court - Litigators' Graduated Fee Scheme

27. LGFS is the scheme by which litigators who represent legally aided defendants in the Crown Court are remunerated for their work. The fee is determined by various proxy elements, including offence group, outcome (guilty plea, cracked trial and trial), days of trial, and pages of prosecution evidence (PPE).
28. Litigators are paid a basic fee calculated using offence group and outcome, plus an uplift, if applicable, for either trial days (if PPE is less than a threshold prescribed in the regulations) or PPE (if PPE is greater than the threshold). PPE is generally the most significant driver of overall LGFS fees.
29. There are three case outcomes in the LGFS – a guilty plea, a cracked trial, and a trial. A guilty plea outcome relates to cases where a plea is entered before or at the plea and trial preparation hearing (PTPH). A cracked trial outcome relates to cases where a plea or withdrawal occurs between the PTPH and the first day of trial. A trial outcome relates to cases where the defendant has pleaded not guilty and a trial goes ahead. It is counted from its first day.

⁵ <https://www.gov.uk/government/statistics/legal-aid-statistics-quarterly-january-to-march-2025> - the latest data shows that the volume of completed work in the magistrates' courts increased by around 5% between 2023-24 and 2024-25.

30. There have been various criticisms of the LGFS. One criticism, made by CLAIR and other stakeholders, was that due to the higher fees for cases that crack or go to trial, the fee scheme does not incentivise the early resolution of a case. CLAIR stated that in many instances it was more likely to be the opposite, possibly incentivising the late entry of a plea or the taking of a case to trial.⁶
31. For example, between 2016 and 2024, although the percentage of defendants who entered a guilty plea before trial slightly increased, from 80% to 82%, such pleas are being entered later in the life cycle of a case than they were before the pandemic. In 2016, just over 51% of all guilty pleas were entered at the first hearing, which fell to 40% in 2024. Conversely 13% of guilty pleas were entered after 4 or more hearings in 2016 but this figure had increased to 22% in 2024.⁷
32. A further criticism has been that the fees paid for routine Crown Court work are too low, increasing reliance on higher paying fees (cases with high PPE) to 'cross-subsidise' more routine work. Offence types E to I were highlighted by CLAIR as having basic fees that were too low, particularly as they do not benefit from a high page count.
33. It is important to note that there is no evidence to support direct causal links between higher fees and plea rates. There are many reasons why a defendant might not plead guilty at an early stage (e.g. available evidence, social background, and the social impact of pleading guilty to certain offences). However, uplifting fees and introducing a fixed ratio could incentivise solicitors to more routinely undertake pre-trial work which might impact productivity before and at the PTPH stage. Importantly, the ratio will still maintain a credible balance between outcomes and not incentivise early guilty pleas where inappropriate (i.e. risk miscarriages of justice) and it will better reflect the work necessary to engage early with trial material and secure earlier resolution where it is appropriate.
34. Therefore, following the consultation, the government has decided to go ahead with:
- Establishing a fixed ratio between guilty plea, cracked trial, and trial basic fees so that guilty plea and cracked trial cases are better paid. Guilty plea fees will be uplifted to 65% of the trial fee and cracked trial fees to 75%.
 - Increasing the basic fees for trials of offence types with the lowest basic fees (offence types E, F, G, H and I) by between 33% to 35%.

Prison law fee scheme

35. Legal aid is available in prison for advice and assistance, and advocacy assistance, in relation to sentence cases, disciplinary cases and Parole Board cases for those already sentenced. It is means tested and is subject to the Interests of Justice test as well as a simple Sufficient Benefits Test⁸ (SBT).
36. Advice and assistance are claimed using fixed fees and then remunerated hourly for any cases that exceed the set threshold. Advocacy assistance has either a 'higher' or 'lower' standard fee, depending on the value of the case, similar to the fee scheme of the magistrates' courts. Travel time is included in the fee.

⁶ CLAIR 12.8: *The LGFS does not incentivise early guilty pleas; indeed, there is an underlying incentive for the litigator to refrain from advising in favour of an early guilty plea.*

CLAIR 12.9: *...and then delay the outcome until the trial begins.*

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1041117/clar-independent-review-report-2021.pdf

⁷ Criminal court statistics quarterly, January to March 2025. Tables C4 and C5 Criminal court statistics quarterly: January to March 2025:

⁸ The Sufficient Benefit Test is used to determine whether legal aid can be provided. It ensures that assistance is only given when it offers meaningful value to the client, based on the case circumstances, the client's personal situation, and the realistic prospect of a beneficial outcome.

37. CLAIR recommended a minimum 15% increase to all criminal legal aid fees, including prison law fees, noting that most fees had remained unchanged for many years, except for a reduction in 2014. Prison law fees did not receive an uplift following CLAIR, as the previous government focused initial investment in early engagement in the criminal justice system.
38. It is important to provide robust support to assist the release of prisoners where it is safe and appropriate to do so. However, Legal Aid Statistics show the number of provider offices completing prison law work decreased by 67% between 2012-13 and 2024-25.⁹ This reduction may be in part due to changes in 2013, which took some aspects of prison law out of scope, though we do not know the extent to which these changes have impacted provider numbers. However, demand is increasing, with a higher number of Parole Board hearings and a backlog of cases. An uplift in fees will contribute to supporting this system to work efficiently.
39. Following the consultation, the government has decided to uplift prison law fees by 24%. We have considered it appropriate to mirror the 24% uplift in overall funding being awarded to the criminal legal aid solicitor profession (comprising the 12% overall increase implemented since CLAIR and the additional 12% announced in December 2024).

Appeals work

40. If the Sufficient Benefit Test and financial eligibility criteria are met, criminal legal aid is available for appeals against conviction and/or sentence from the magistrates' courts to the Crown Court, from the Crown Court to the Court of Appeal, for applications to the Criminal Cases Review Commission (CCRC) and for appeals to the High Court by way of case stated.¹⁰
41. Appeals work is remunerated under several fee schemes. Advice on appeals to the Crown Court is wrapped up in the magistrates' courts fee scheme for which we are currently proposing a general 10% uplift. This will apply to work done on appeals by solicitors awarded the representation order. However, the uplift would not apply to any other area of appeals work (against conviction and/or sentence from the Crown Court to the Court of Appeal, for applications to the CCRC and for appeals to the High Court by way of case stated) including where a new firm or advocate has been instructed to advise and assist on the appeal element of a case.
42. 20% of respondents to Q5 of the consultation¹¹ - regarding other areas of work which should be considered for additional funding - commented that appeals would benefit from a fee uplift. Appeals were also featured at a litigators' subgroup of the Criminal Legal Aid Advisory Board held in June 2025. All stakeholders agreed that appeals should have been part of the consultation and recommended that the fees should be increased, warning that without additional funding 'advice deserts' may emerge, where providers stop offering the service due to its uneconomic nature.
43. Following the consultation feedback, we believe that increasing the relevant solicitor fees for all the appeal areas described above by 10% would be consistent with the rationale underpinning the magistrates' courts fee scheme uplift and would help promote the sustainability of the firms who undertake this type of work.
44. Initial cost estimates for such an uplift are around £0.2m per year at steady state. It is important to note that these initial cost estimates do not include the estimated cost of

⁹ <https://www.gov.uk/government/statistics/legal-aid-statistics-quarterly-january-to-march-2025> - headline statistics tables and Table 9.1

¹⁰ Appeals by way of case stated are appeals directly from the magistrates' courts to the High court for an opinion on a matter of law.

¹¹ Criminal Legal Aid: proposals for solicitor fee scheme reform. <https://www.gov.uk/government/consultations/criminal-legal-aid-proposals-for-solicitor-fee-scheme-reform/criminal-legal-aid-proposals-for-solicitor-fee-scheme-reform#equalities-statement>

increasing fees for appeals to the High Court by way of case stated as we do not hold data on the total spend per year on this area; however, internal evidence shows a low and decreasing volume of cases per year.

B. Rationale & policy objectives

Rationale

45. The conventional economic rationales for government intervention are based on efficiency and equity. The government may consider intervening if there are failures in the way markets operate (e.g. monopolies overcharging consumers), or failures with existing government interventions (e.g. waste generated by misdirected rules). The new interventions should avoid creating a further set of disproportionate costs and distortions. The government may also intervene for equity (fairness) and distributional reasons (e.g. to reallocate goods and services to more deprived groups in society).
46. The principal policy objective behind the options assessed in this Impact Assessment is efficiency: to support the sustainability of the criminal legal aid market.

Policy objectives

47. The government considers the reforms necessary to achieving our overarching policy objectives. Reform is based upon four of the main CLAIR policy objectives described above. These are to reform the Criminal Legal Aid fee schemes so that they:
- fairly reflect, and pay for, work done;
 - support the sustainability of the market;
 - support just, efficient, and effective case progression; limit perverse incentives; and ensure value for money for the taxpayer; and
 - ensure cases are dealt with by practitioners with the right skills and experience.

C. Main stakeholder groups, organisations and sectors

48. The options assessed in this Impact Assessment will directly affect the following groups:
- Legal aid service providers (solicitors' firms)¹²
 - Legal aid clients
 - The LAA/MoJ
 - Those working in the wider criminal justice system

D. Options under consideration

49. To meet the above policy objectives, the following options are considered in this IA:
- **Option 0 / Do nothing:** Retain the existing arrangements for the police station, the magistrates' courts, the Crown Court - LGFS, and the prison law fee schemes.
 - **Option 1a:** Harmonise police station attendance fees.
 - **Option 1b:** Uplift magistrates' courts fees by 10%.

¹² This includes partners and employees of firms, including qualified solicitors, solicitor advocates, CILEX executives and other employees.

- **Option 1c:** Increase LGFS basic fees for trials for offence types with the lowest basic fees and introduce a fixed ratio of 65:75:100 between guilty plea, cracked trial, and trial basic fees for all offence types.
- **Option 1d:** Uplift prison law fees by 24%.
- **Option 1e:** Uplift appeals fees by 10%.

50. The Government's preferred option is Option 1 (a – e). This option best enables us to deliver the Government's commitment to invest in criminal legal aid and ensure the investment reaches the market this Parliament.

Option 0: Do nothing, retaining the existing arrangements for the police station, the magistrates' courts, the Crown Court - LGFS, and the prison law fee schemes

51. This option would mean making no increase to any fees in the police station, magistrates' courts (including Youth Court), Crown Court - LGFS, and the prison law schemes. It would therefore not address our stated aim in the consultation, which is to support the sustainability of the criminal legal aid solicitor market and would also prevent us from addressing the wider objectives laid out in CLAIR.

Option 1a: Harmonise police station attendance fees

52. Option 1a will align with CLAIR's recommendation to phase out different rates as soon as is practical. It builds on recent changes to police station fees (i.e. raising the lowest London and non-London fees) by fully harmonising all remaining fee schemes.

53. This option will harmonise all fee schemes at £320 per case excluding VAT (£384 including VAT), which is above the current highest fee and means that all fees will see an increase. The financial benefit across non-London schemes will be an average fee increase per case of around £112 (including VAT), or around £93 (excluding VAT) and the financial benefit across London schemes will be an average fee increase per case of around £69 (including VAT) or around £58 (excluding VAT).

Option 1b: Uplift magistrates' courts fee schemes by 10%

54. Option 1b will uplift all fees in the magistrates' courts, including Youth Court fees and the Youth Court enhanced fee.

Option 1c: Increase the LGFS basic fees for trials of offence types with the lowest basic fees and introduce a fixed ratio of 65:75:100 between guilty plea, cracked trial, and trial basic fees for all offence types

55. Option 1c will uplift LGFS basic fees for trials of offence types E, F, G, H and I by between 33% and 35% and, in addition to that, establish a fixed ratio between guilty plea, cracked trial, and trial basic fees within each offence type so that guilty plea fees are uplifted to 65% of the trial fee and cracked trial fees to 75%. This fixed ratio will apply to all offence types.

56. Alongside wider efforts to prioritise productivity in the criminal justice system this option, which will raise guilty plea and cracked trial basic fees, could support efforts to target disposal rates and early engagement.

57. It is important to note that there is no evidence to support direct causal links between higher fees and plea rates. There are many reasons why a defendant might not plead guilty at an early stage (e.g. available evidence, social background, and the social impact of pleading guilty to certain offences). However, uplifting fees and introducing a fixed ratio, could incentivise solicitors to more routinely undertake pre-trial work which might impact productivity before and at the PTPH stage. Importantly, the ratio will still maintain a credible

balance between outcomes and not incentivise early guilty pleas where inappropriate (i.e. risk miscarriages of justice) and it will better reflect the work necessary to engage early with trial material and secure earlier resolution where it is appropriate.

Option 1d: Uplift prison law fees by 24%

58. This option will uplift all fees within the scope of prison law (advice and assistance, and advocacy assistance) by 24%.

Option 1e: Uplift appeals fee schemes by 10%

59. This option will uplift all fees for appeals work (against conviction and/or sentence from the magistrates' courts to the Crown Court, from the Crown Court to the Court of Appeal, for applications to the CCRC and for appeals to the High Court by way of case stated) by 10%.

E. Cost and benefit analysis

60. This IA follows the procedures and criteria set out in the IA guidance and is consistent with the HM Treasury Green Book.

61. It identifies impacts on individuals, groups and businesses in England and Wales, with the aim of understanding what the overall impact to society will be from implementing the above measures. IAs place a strong emphasis on valuing the costs and benefits in monetary terms (including estimating the value of goods and services that are not traded). However, there are important aspects that cannot sensibly be monetised, which might include whether the policy impacts differently on particular groups of society or changes in equity and fairness.

62. The costs and benefits of each option are usually compared to the 'do nothing' or baseline option (option 0), to demonstrate the potential impacts of reform. In this case, the 'do nothing' option is making no changes to the criminal legal aid fee schemes. This 'do nothing' option is a useful baseline for comparison purposes as it demonstrates where additional expenditure is targeted.

63. The costs and benefits in this IA are presented in nominal prices.

64. The impacts of all the options represent estimates at their expected steady state values, with a range provided alongside the best estimates. These estimates have been derived using the volumes and case mix of claims in 2024-25 and therefore reflect the most accurate estimate of current caseloads at the time of completing the IA.¹³

65. For LGFS, volumes are forecast to rise before reaching steady state, therefore, increases have been applied to the 2024-25 data to estimate steady state costs.¹⁴ Based on the current legal aid fund forecasts, Crime Lower¹⁵ volumes are expected to remain relatively stable by comparison, so no separate increase has been applied.

66. However, the forecasts used to estimate the steady state costs in this IA do not account for any potential increase in sitting days resulting from future Government policies. As a result, relevant volumes for both Crime Lower and the Crown Court have been sensitivity tested to

¹³ Legal aid claims for 2024-25 are based on the latest published data: <https://www.gov.uk/government/statistics/legal-aid-statistics-quarterly-january-to-march-2025>.

¹⁴ Crown Court - LGFS steady state costs remain unchanged from the consultation IA. LGFS spend in 2024-25 was higher than in 2023-24, although still lower than in steady state. The increase in 2024-25 spend is part of the expected increase in spend to reach steady state.

¹⁵ Crime Lower covers work carried out by legal aid providers at police stations, in the magistrates' courts in relation to people accused of, or charged with criminal offences, prison law and work completed by the CCRC. The Crime Lower areas referred to in this section and the Impact Assessment as a whole are police stations, magistrates' courts and prison law.

account for potential changes in volumes beyond those accounted for in the steady state in this IA.

67. Any one-off costs are assumed to be incurred in the financial year 2025-26. No optimism bias is applied to any of the steady state costs or benefits, as they are based on known fixed fees. Estimates for the implementation costs have been rounded up to allow for optimism bias. More details are given in the methodology section.
68. Sensitivity analysis has been performed in section F on the cost estimates reflecting uncertainty in the estimates. Two scenarios are analysed: (A) where modelling assumptions are taken to the values which will give the highest costs and benefits; and (B) where modelling assumptions are taken to the values which will give the lowest costs and benefits. Unlike in the consultation IA, the assumptions under these two scenarios are not symmetrical and reflect a higher upward than downward perceived risk. The assumptions also differ across the fee scheme areas, which again tries to reflect different perceived risks associated to each scheme area.
69. Any changes that arise as a result of the increased cost of legal aid are assumed to amount to a transfer between the LAA and legal aid providers and, as such, net present values (NPV) have not been included in this IA.
70. The cost estimates are based on the LAA billing data. The analysis in this IA is based on closed case expenditure and volumes in 2024-25, with Crown Court - LGFS costs adjusted to reflect the forecasted increase in volumes to reach steady state.
71. The expenditure estimates in this IA have been rounded as follows: estimates below £100,000 have been rounded to the nearest £10,000; estimates below £5m have been rounded to the nearest £100,000; all other figures have been rounded to the nearest £1m. However, in a few instances, we have deviated from these rounding rules and applied a consistent rounding within the same table columns or sections. Percentage values have also been rounded. Consequently, some totals may not agree due to rounding. All figures include VAT unless otherwise stated.
72. Further details on the methodology assumptions and risks can be found in section F.

Baseline

73. As stated above, the police stations, magistrates' courts, Crown Court - LGFS, prison law, and appeals modelling is based on 2024-25 volumes and case mix, which represents the latest available data for our 'steady state'¹⁶ modelling. However, for Crown Court - LGFS, projected increases in volumes are applied to reflect the expected future position.¹⁷ At the time of completing this IA, the data used represents the latest available data.
74. For police stations, the volumes of legally aided cases and associated spending relate solely to police station attendance work.
75. The baseline spend for police station and magistrates' courts areas has been adjusted to reflect the full-year impact of the recent 15% fee uplift (effective from 30 September 2022),

¹⁶ Department uses steady state estimates when assessing the annual ongoing cost of a legal aid fee scheme. This is because a change to a legal aid fee scheme will not usually take effect across existing cases following policy implementation. Instead, the change in fee schemes usually only takes effect in respect of cases which start after it has been implemented. This means that there is a period where cases commenced after the introduction of the new fee scheme will be billed on the basis of the new fee scheme whilst existing cases in the system continue to be billed on the basis of the pre-existing fee scheme. Steady state is achieved at the point when all cases are being billed on the basis of the new fee scheme.

¹⁷ As Crown Court - LGFS spend in 2024-25 was higher than in 2023-24, a lower uplift has been applied to 2024-25 estimates to bring them up to the unchanged steady state cost.

as well as the increase in the lowest London and non-London police station fees and the Youth Court fee enhancement (effective from 6 December 2024).

76. The baseline spend for Crown Court - LGFS has similarly been adjusted to reflect the full-year impact of the changes introduced in September 2022.
77. No adjustment has been made for prison law, as it has not been affected by any recent fee scheme changes.
78. The baseline spend for appeals has not been adjusted as there is not sufficient data to make any adjustments – the impact of recent fee scheme changes for appeals has been assumed to have been fully implemented.
79. Further details are provided in the Assumptions and Risks section.
80. As outlined in the Assumptions and Risks section, volumes in future years may differ from this estimate, either higher or lower. The impact of this variability has been tested in the sensitivity analysis.

Costs of Option 1a-e

81. It is standard practice in IAs to present the impact of each option separately. However, in this case, we have not done so, as the impacts apply to all options. Therefore, we have presented the impacts of the reforms to each fee scheme in aggregate.
82. The key costs of the police station attendance, magistrates' courts, Crown Court - LGFS, prison law, and appeals options are described below. The geographical and provider (office) level impacts are described further in Annex A.

Legal aid clients

83. Annually, about 9,000 to 10,000 defendants at the Crown Court are required to pay an income contribution order (ICO). In many cases, the income contributions do not meet the full defence costs of the case and therefore the client's income contributions will not be affected by an increase in fees. Approximately 1,500 to 2,000 Capital Contribution Orders (CCOs) are also issued each year, representing between 2% and 3% of the legally aided population at the Crown Court.
84. As Option 1c will result in an overall increase in Crown Court spend via LGFS, the total value of the contributions that defendants will need to make could increase. This will be the case for those individuals that currently pay the full cost of their defence and have income and capital sufficient to pay a higher contribution. Given the lack of data, we have been unable to undertake detailed analysis of the impacts on clients, however, as explained below these are likely to be limited.
85. As such, we anticipate that this option will only affect a small proportion of legal aid clients, with the overall LGFS case fee increase being 2% (see Table 9). Furthermore, since the contribution levels are subject to means testing and are intended to recover a proportion of the cost of providing legal aid services, we consider any differences in impact to be proportionate to the legitimate aim of supporting the sustainability of the market and properly compensating for work done.

Legal Aid Agency/Ministry of Justice

Transition costs

86. The LAA will need to implement these changes, with a cost of around £0.53m. These implementation costs are indicative and are described in Table 1 below. These costs are

based on the estimates used at the consultation stage, but are likely to change once the planned digital changes are implemented. The cost of implementing option 1e (uplifting appeals fees by 10%) is not included as there is no estimate currently available and this option was not included at the consultation stage.

Table 11: Estimated LAA implementation costs for Option 1 (a – e), £m

	Implementation Costs
Police Stations	
Option 1a – harmonise police station attendance fees	0.12
Magistrates' Courts	
Option 1b – uplift magistrates' courts fees by 10%	0.04
Crown Court - LGFS	
Option 1c – uplift basic fees	0.30
Prison Law	
Option 1d – uplift prison law fees by 24%	0.08
Total	£0.53m

- Figures may not sum due to rounding.

Steady state costs

87. The combined cost to the legal aid fund for the police station, magistrates' courts, Crown Court – LGFS, prison law and appeals measures is estimated at around £90m per annum based on 2024-25 volumes and spend. This is expected to rise to £92m in steady state (best estimate, within a range of £82m to £103m), as shown in Table 2 below.¹⁸ This increase is attributed to the Crown Court - LGFS scheme, stemming from an expected rise in Crown Court spend. As a result, the steady state estimated additional fee costs for Crown Court - LGFS increased from £9m to £10m. Conversely, for the police station, magistrates' courts, prison law, and appeals areas, the steady state costs are assumed to remain broadly consistent with 2024-25 volumes and spend. However, all of these costs have undergone sensitivity testing for any potential changes in future volumes (see section F, below).

Table 22: Estimated steady state LAA costs for Option 1 (a – e), £m

	Baseline Spend		Additional fee income (based on 2024-25)	Steady state additional fee income
	2024-25	2024-25, including relevant fee changes in 2022 and 2024		
Police Stations				
Option 1a – harmonise police station fixed fees	162	177	65	65
Magistrates' Courts				
Option 1b – uplift fees by 10%	130	136	13	13
Crown Court - LGFS				
Option 1c – uplift basic fees	435	437	9	10
Prison Law				
Option 1d – uplift fees by 24%	22	22	4	4
Appeals				
Option 1e – uplift fees by 10%	2	2	0.2	0.2
Total	£751m	£773m	£90m	£92m

- Figures include expenditure on disbursements & VAT and may not sum due to rounding.

- For police station (attendance work only), magistrates' courts cases, and Crown Court - LGFS, the total baseline spend for 2024-25 has been adjusted to reflect the full impact of the recent fee uplifts: a 15% flat fee

¹⁸ Table 2 presents only the 'best estimates.' For the ranges accompanying these estimates, please refer to Table 6 - Sensitivity Analysis.

uplift that took effect on 30 September 2022 (for LGFS the 15% uplift applied only to certain elements of the scheme), and the partial harmonisation of police station fees and Youth Court fee enhancement implemented in December 2024. Since the vast majority of police station, magistrates' courts, and Crown Court - LGFS cases in the 2024-25 billing data began on or after 30 September 2022, the impact of this adjustment is minimal. No adjustment has been applied to prison law and appeals, as it was not subject to any fee changes.

88. Table 3 below shows the current spend on LGFS basic fees including the defendant uplift element and the basic fee element in the initial fee in 2024-25 volumes. It also shows the proposed percentage increase in basic fees by outcome and offence type, as well as the estimated increase in spend as a result of such increases.

Table 3: Current and estimated spend on LGFS basic fees (including defendant uplift element and the basic fee element in the initial fee)

Offence type	Outcome									
	Trial			Cracked trial			Guilty plea			
	Current spend basic fee (£'000)	Proposed change	Increase in spend (£'000)	Current spend basic fee (£'000)	Proposed change	Increase in spend (£'000)	Current spend basic fee (£'000)	Proposed change	Increase in spend (£'000)	
A	1,650	0%	-	380	22%	80	130	40%	50	
B	5,940	0%	-	8,950	16%	1,440	5,920	28%	1,680	
C	1,420	0%	-	4,340	6%	250	2,630	9%	220	
D	1,420	0%	-	920	22%	200	530	40%	210	
E	90	35%	30	330	53%	180	330	67%	220	
F	70	33%	20	210	59%	130	290	58%	170	
G	20	33%	10	30	59%	20	30	58%	10	
H	340	33%	110	1,020	51%	520	890	62%	550	
I	80	33%	30	100	41%	40	70	77%	60	
J	6,360	0%	-	1,840	22%	400	1,430	40%	570	
K	400	0%	-	320	0%	-	130	5%	10	
Total by outcome, £m			0.2				3			
Total (excluding VAT), £m								7		
Total (including VAT), £m								9		
Steady state (including VAT), £m								10		

- Figures may not sum due to rounding

Benefits of Option 1a-e

89. The key benefits of the police station, magistrates' courts, Crown Court - LGFS, prison law and appeals options are described below. The geographical and provider level impacts are described further in Annex A.
90. The measures we are introducing may improve access to justice because they are designed to help ensure the stability of the market.
91. Clients will still have access to the same criminal legal aid services as they do now, provided, where applicable, the interests of justice and means tests are satisfied. However, these options may result in criminal legal aid services being quicker to access or there being greater choice for clients, if the supply of lawyers increases due to fees which more appropriately compensate them.

Legal aid service providers: solicitors' firms

92. As stated, under the police station, the magistrates' courts, the Crown Court - LGFS, prison law, and the appeals measures, solicitors' firms are expected to receive around £90m in additional annual funding based on 2024-25 volumes and spend, rising to £92m in steady state (best estimate).
93. As previously published, the estimated pre-CLAIR baseline for solicitor firms' fee income (fee income before the changes resulting from the CLAIR) is £751m.¹⁹ Therefore, this additional £92m per annum in steady state represents an additional 12% increase in solicitor firms' fee income, which combined with the increases to date, which put solicitors at 12% since September 2022, will bring the total increase in solicitor firms' fee income to around 24%.

Legal Aid clients

94. The preferred options will increase the amount paid to legal aid providers. Although we have not been able to estimate any monetised benefits for legal aid clients, the key aims of these measures – to improve the sustainability and efficiency of the legal aid market – are likely to have a positive effect on legal aid clients for whom a well-functioning and sustainable legal aid market that provides a good quality service is vital.

Legal Aid Agency

95. Harmonising police station fee schemes will provide operational benefits for the LAA. Currently, the agency processes claims from 245 different police station fee schemes with 37 distinct fees across England and Wales. Reducing the number of fees will simplify these processes.

Wider criminal justice system

96. As noted in CLAIR, there could be wider benefits if these reforms result in the whole criminal justice system functioning more effectively, to be able to respond to forecast increase in demand, and to reduce the backlog. This will benefit the Police, HM Courts and Tribunals Service (HMCTS) and the Crown Prosecution Service (CPS) for instance.

¹⁹ See Table 3 in The Criminal Legal Aid (Remuneration) (Amendment) (No. 2) Regulations 2023. https://www.legislation.gov.uk/ukia/2023/39/pdfs/ukia_20230039_en.pdf

F. Methodology, assumptions, risks and sensitivity analysis

Methodology

Baseline costs

97. As described above, the costs and benefits of the preferred options are based on 2024-25 volumes and spend data for police stations attendance, magistrates' courts, Crown Court - LGFS, prison law, and appeals, with the LGFS steady state figure adjusted to account for the forecast increase in Crown Court spend. 2024-25 represents the latest available data. For further detail please refer to the Assumptions and Risks Section.

98. The spend data is based on the closed cases measure of expenditure which shows the total value of payments made to legal aid providers in relation to cases that are completed in each period, even where a portion of the work may have taken place and paid over previous periods.

Police station attendance fees – Option 1a

99. Police station attendance fees will be harmonised at a rounded level of £320 excluding VAT. The new fee will level ensure all schemes are harmonised while providing the largest increases to the lowest fee schemes. The escape thresholds²⁰ will be harmonised based on the mean level weighted by case volumes.

Magistrates' courts – Option 1b

100. Magistrates' courts fees (including Youth Court fees), and the associated thresholds and underlying rates, will receive a flat 10% uplift. This also applies to the recently implemented Youth Court enhanced fee, which is currently £598.59 excluding VAT, or £718.31 including VAT.

Crown Court LGFS – Option 1c

101. LGFS basic fees will be increased as set out in the table below.

²⁰ There is an 'escape fee' provision for police stations work whereby a legal aid provider can be paid at hourly rates if the work done surpasses the 'escape threshold'. Only the work done above the threshold is paid as an escape fee, not the work done between the fixed fee and the threshold.

Table 4 – Current and proposed new basic LGFS fees

Offence type	Outcome								
	Trial			Cracked trial			Guilty plea		
	Current	Proposed	Change	Current	Proposed	Change	Current	Proposed	Change
A	1,687.72	1,687.72	0%	1,040.27	1,265.79	22%	782.45	1,097.02	40%
B	1,262.31	1,262.31	0%	815.52	946.73	16%	639.53	820.50	28%
C	850.53	850.53	0%	603.55	637.90	6%	509.35	552.84	9%
D	1,603.33	1,603.33	0%	988.25	1,202.50	22%	743.31	1,042.16	40%
E	405.63	547.18	35%	267.98	410.38	53%	212.40	355.66	67%
F	411.24	547.18	33%	257.86	410.38	59%	225.18	355.66	58%
G	411.24	547.18	33%	257.86	410.38	59%	225.18	355.66	58%
H	411.41	547.18	33%	272.55	410.38	51%	219.62	355.66	62%
I	411.06	547.18	33%	291.72	410.38	41%	200.79	355.66	77%
J	1,687.72	1,687.72	0%	1,040.27	1,265.79	22%	782.45	1,097.02	40%
K	1,186.59	1,186.59	0%	889.94	889.94	0%	736.97	771.28	5%

- Figures exclude VAT.

102. It is important to point out that in cases where the PPE threshold is exceeded, the LGFS scheme also has an ‘initial fee’.²¹ The initial fee was introduced to ensure there were no disparities in fee calculations when the PPE threshold was exceeded, with the basic fee forming the starting point for the initial fee. Therefore, any increase in basic fees will have a knock-on effect on initial fees, which will be increased by the same amount (in absolute terms).

103. For example, trials in offence type F eligible for the basic fee will see the basic fee increase by 33% or £136 (excluding VAT). As the basic fee forms the starting point for the initial fee, the initial fee will increase by the same amount, rather than having a proportional increase. Therefore, the initial fees for trials in offence type F will also increase by £136 (excluding VAT). This knock-on impact on initial fees has been factored into the estimated costs.

Prison law fees – Option 1d

104. Prison law fees, including the associated thresholds and underlying rates, will receive a flat 24% uplift.

Appeals fees – Option 1e

105. This option will uplift all fees for appeals work (against conviction and/or sentence from the magistrates’ courts to the Crown Court, from the Crown Court to the Court of Appeal, for applications to the CCRC and for appeals to the High Court by way of case stated) by 10%.

Risks and assumptions

106. Table 5 sets out the main assumptions used in the above analysis and the associated risks.

²¹ Where in a case the PPE exceeds the relevant PPE cut-off, the total fee payable is calculated in accordance with the following formula: $F = I + (D \times i)$, where F is the amount of the final fee; I is the initial fee specified in the relevant tables; D is the difference between the number of PPE and the lower number in the PPE range specified, and; i is the relevant incremental fee per PPE. More information can be found in the relevant regulations: <https://www.legislation.gov.uk/ukSI/2013/435/schedule/2>

Table 5: Assumptions and risks associated with police station, magistrates' courts, Crown Court – LGFS, prison law and appeals Option 1 (a – e)

Area	Assumptions	Risks
Transition costs		
LAA transition costs	Transition costs are based on time estimates and salary costs for digital teams provided at the Consultation stage.	The implementation costs are based on the estimates used at the consultation stage. These costs are likely to change once the currently planned digital changes are implemented. It is not yet possible to determine the change in costs.
Steady state general assumptions		
2024-25 baseline / 'adjusted' baseline spend and volumes	It is assumed baseline legal aid spend and volumes are as described in paragraphs 73-80. The baseline spend figures for police station and magistrates' courts areas have been adjusted to reflect the full-year impact of the recent 15% fee uplift (effective from 30 September 2022), as well as the increase in the lowest London and non-London police station fees and the Youth Court fee enhancement (effective from 6 December 2024 ²²). Crown Court - LGFS spend has also been adjusted to fully reflect the impact of the changes introduced in September 2022. No adjustment has been made for prison law and appeals.	Case mix and volumes change year on year which could lead to higher or lower costs than those estimated. Police station case volumes may increase owing to police recruitment. The impact of changes to police station, magistrates' courts, Crown Court - LGFS, prison law, and appeals volumes have been considered in the sensitivity analysis.
VAT and disbursements	Baseline criminal spend includes VAT and disbursements, unless otherwise specified.	This will not impact the estimated costs or benefits.
Police station attendance fees modelling (Option 1a)		
Police station 'attendance' volume of cases / provider costs submitted	Police station attendance case volumes are as described above (i.e. based on 2024-25 completed billing returns). A small adjustment has been made to omit erroneous cases including cases where the fees do not match the fees prescribed in the Regulations, unless the differences are known. The modelling in respect to changing the escape fee thresholds is based on provider costs (overall costs including travel, waiting and counsel costs) submitted.	The small adjustment to police stations volumes has a negligible impact and it is not a risk to the modelling.

²² For further detail – please see: Crime lower consultation: Criminal Legal Aid - GOV.UK <https://www.gov.uk/government/consultations/crime-lower-consultation/crime-lower-consultation-criminal-legal-aid>

Area	Assumptions	Risks
Regional split of police station fee cases/impacts	The regional split of police station case volumes is based on the location of the provider office completing the work, as recorded in the provider completions data.	This will not impact the estimated costs or benefits.
Magistrates' courts fees modelling (Option 1b)		
Magistrates' courts volume of cases	Magistrates' courts case volumes cover magistrates' courts representation volumes in 2024-25 as per Table 2.1 – Legal Aid Statistics.	Magistrates' courts case volumes could be higher or lower, and this is tested as part of the sensitivity analysis.
Crown Court - LGFS fees modelling (Option 1c)		
Crown Court - LGFS volume of cases	LGFS case volumes in 2024-25 are as per Table 4.2 (Trials, Cracked Trials and Guilty Pleas excluding Elected Not Proceeded).	Case mix and volumes change year on year which could lead to higher or lower costs than those estimated. This has been considered as part of the sensitivity analysis.
Prison law fees modelling (Option 1d)		
Prison Law volume of cases	Prison law case volumes in 2024-25 are as per Table 2.1 – Legal Aid Statistics.	Case mix and volumes change year on year which could lead to higher or lower costs than those estimated. This has been considered as part of the sensitivity analysis.
Appeals fees modelling (Option 1e)		
Appeals volume of cases	Appeals case volumes and spend in 2024-25 are as per Tables 2.1, 4.2 – Legal Aid Statistics and internal data on the solicitor firms' fee income from the Court of Appeal.	Case mix and volumes change year on year which could lead to higher or lower costs than those estimated. This has been considered as part of the sensitivity analysis.
Solicitor firm investment		
Crime Lower	It has been assumed that all fees paid for Crime Lower work go to solicitors' firms. Solicitors' firms can instruct a barrister to represent their client at hearings before a magistrates' court, so they may indirectly benefit from the increase in fees.	This assumption may lead to an overestimate of the benefits to solicitors' firms.

Sensitivity analysis

Steady state costs

107. We have presented the impacts of the options costing more or less than the primary estimates to try to capture a reasonable range of uncertainty in the modelled cost estimates. Two scenarios have been modelled for illustrative purposes:

- Scenario A assumes the volumes and costs of cases increase.
- Scenario B assumes the volumes and costs of cases decrease.

108. The change for each option under each scenario is shown in Table 6.

109. Scenario A assumes that volumes / spend for all four areas increase. For police station, prison law volumes / spend, the increase is 10%, whereas for magistrates' courts, Crown Court – LGFS, and appeals, the increases are 25%, 15% and 20% respectively. These percentages reflect the potential impact of recommendations that have arisen from recent reviews – such as the Independent Review of the Criminal Courts – and the potential impact they could have on future Government policies.

110. Scenario B assumes that police station, magistrates' courts, LGFS, prison law, and appeals volumes / spend decrease by 10%. The total increase in costs under Scenario A is around £12m, with a total estimated spend of £103m. The total decrease in costs under Scenario B is around £9m, with a total estimated spend of £82m.

Table 6: Sensitivity analysis – steady state additional costs per annum for Option 1 (a – e), £m

	Central Estimate	Scenario A	Scenario B
Police Stations			
Option 1a – harmonise police station fixed fees	65	71	58
Magistrates' Courts			
Option 1b – uplift fees by 10%	13	16	11
Crown Court - LGFS			
Option 1c – uplift basic fees	10	12	9
Prison Law			
Option 1d – uplift fees by 24%	3.9	4.3	3.5
Appeals			
Option 1e – uplift fees by 10%	0.18	0.21	0.16
Total	£92m	£103m	£82m

- All figures include VAT.
- Figures may not sum due to rounding.

G. Wider impacts

Equalities

111. The Equality Assessment published alongside the consultation response gives further details on the equalities impact.

Families

112. We have no evidence to suggest that families will be disproportionately adversely affected by the measures.

Better regulation

113. These measures are out of scope of the Better Regulation Framework.

International trade

114. The options in this IA have no implications for international trade.

Welsh language

115. We do not consider these measures will have an impact on legal services through the medium of Welsh.

Growth

116. A sustainable criminal legal aid market will have a positive effect in supporting growth by protecting the rule of law. These measures also support the growth agenda insofar as this investment is necessary to support the sustainability of this crucial market. Our changes are designed to support recruitment and retention, particularly where the criminal justice system relies on duty solicitors, and they are part of an overall ambition to put criminal legal aid on a sustainable long-term footing.

H. Monitoring & Evaluation

117. The MoJ will proactively monitor the impact of the proposed changes, in terms of costs, and behavioural changes, from the point of implementation.

Annex: distributional analysis of the fee reforms for solicitors' offices

118. This annex assesses to what extent, if any, there are differential overall impacts from Option 1 (a) police station harmonisation, b) magistrates' courts uplift, c) Crown Court - LGFS uplift, and d) prison law uplift on solicitor offices with certain characteristics – for example, whether the fee increases vary by geographical location or by office size in terms of total criminal legal aid income. This annex also assesses if these distributional impacts vary across the different reform areas²³. Please note that the analysis is based on the steady state cost best estimates.
119. Due to data limitations, the impact of the appeals uplift cannot be broken down at the office level. As a result, appeals have been excluded from the tables within this annex, with the exception of Table 12. In Table 12, the impact of the appeals uplift has been included within the final overall row.
120. In the 2024-25 magistrates' courts billing data, just under 10% of the total estimated Youth Court fee enhancement has been implemented. The impact of uplifting this portion has been included in the estimates. The remaining impact has been included only in the final total row of the relevant tables, as it cannot be accurately divided across cases or regions due to limitations in identifying Youth Court cases in the data.
121. Office location ('region') is used as a proxy for geographical location and office size is determined by overall criminal legal aid income ('total value') – both are sourced from the Legal Aid Provider Statistics for 2024-25.
122. Although we can estimate how much of an increase solicitors' offices will see in their fee income, we cannot say how this money will be used and therefore how this might impact on the remuneration of partners, other qualified solicitors, legal executives or other employees.
123. Table 7 sets out the average fee increase in absolute and percentage terms for police station cases. Please note that the average increase per case figures presented in this annex apply to all cases, not just the impacted cases. Excluding London, all regions will experience an average increase of at least 36% and a regional average uplift of at least £101 including VAT. London will experience the lowest average increase compared to other regions as the region currently has the highest fees prior to the harmonisation in Option 1a. All regions will experience an increase across 100% of their cases as there will be no cases that will lose out from the fee changes under Option 1a.

²³ The analysis in this annex relates only to the impacted fee scheme areas. For example, criminal solicitor office numbers cover only those offices that completed work in these criminal fee scheme areas, which covers nearly all offices as per the 2024-25 legal aid billing data.

Table 7: Average fee increases and proportion of police station attendance cases experiencing an increase in fees, split by region

Region	Volume of cases	Average fee increase per case (£)	Average fee increase per case (%)	Cases experiencing increase (%)
East Midlands	45,000	114	42%	100%
Eastern	55,400	105	38%	100%
London	96,000	69	22%	100%
Merseyside	15,800	116	43%	100%
North East	37,300	116	43%	100%
North West	64,800	116	43%	100%
South	43,100	109	40%	100%
South East	45,000	101	36%	100%
South West	47,900	114	42%	100%
Wales	36,800	115	43%	100%
West Midlands	58,300	115	43%	100%
Yorkshire and Humberside	67,400	116	43%	100%
Total	612,800	106	38%	100%
London	96,000	69	22%	100%
Non-London	516,700	112	41%	100%

- Figures may not sum due to rounding.
- All figures include VAT.

Table 8 sets out the average fee increase in absolute and percentage terms for magistrates' courts cases. All regions will experience an average increase of 10%, equating to a regional average uplift of at least £36 including VAT. London will experience a higher average increase than other regions owing to the fact the region currently has relatively higher fee income compared to rest of the country. The full impact of uplifting the Youth Court fee enhancement has been included in the final row, showing the overall impact of Option 1b. As some cases within the 2024-25 billing data already include the Youth Court fee enhancement implemented in December 2024, a small portion of the uplift, just under 10%, will be included in the regional breakdown.

Table 8: Average fee increases and proportion of magistrates' courts cases experiencing an increase in fees, split by region

Region	Volume of cases	Average fee increase per case (£)	Average fee increase case (%)	Cases experiencing increase (%)
East Midlands	19,800	45	10%	100%
Eastern	23,000	40	10%	100%
London	44,200	51	10%	100%
Merseyside	10,000	40	10%	100%
North East	21,000	36	10%	100%
North West	32,200	42	10%	100%
South	18,200	45	10%	100%
South East	18,200	44	10%	100%
South West	20,600	37	10%	100%
Wales	19,800	38	10%	100%
West Midlands	23,300	41	10%	100%
Yorkshire and Humberside	34,200	39	10%	100%
Total	284,500	42	10%	100%
London	44,200	51	10%	100%
Non-London	240,200	41	10%	100%
Total including Youth Court enhanced fee uplift	284,500	44	10%	100%

- Figures may not sum due to rounding.
- All figures include VAT.

124. Table 9 sets out the average fee increase in absolute and percentage terms for Crown Court - LGFS cases. Most regions will experience an average increase of between 2% to 4%, with the exception of the South West and West Midlands. The South West will experience the largest increase (6%) whereas the West Midlands will experience the smallest increase (1%). The average fee increase in absolute terms varies across regions, with London receiving the lowest average absolute fee increase. The East Midlands and Eastern regions will experience the largest average absolute fee increase, at £164 and £162 (including VAT), respectively. All regions will experience an increase to at least 75% of their cases.

Table 9: Average fee increases in steady state and proportion of LGFS cases experiencing an increase in fees, split by region

Region	Volume of cases	Average fee increase per case (£)	Average fee increase per case (%)	Cases experiencing increase (%)
East Midlands	4,100	164	3%	85%
Eastern	5,600	162	4%	83%
London	14,900	142	2%	75%
Merseyside	2,400	158	3%	83%
North East	4,000	158	4%	84%
North West	7,500	157	3%	85%
South	3,700	153	3%	80%
South East	3,500	156	3%	81%
South West	4,000	158	6%	83%
Wales	3,500	153	3%	83%
West Midlands	6,100	150	1%	78%
Yorkshire and Humberside	7,200	154	2%	82%
Total	66,500	153	2%	81%
London	14,900	142	2%	75%
Non-London	51,600	156	3%	82%

- Figures may not sum due to rounding.
- All figures include VAT.

125. Table 10 sets out the average fee increase in absolute and percentage terms for prison law cases. All regions will experience an average increase of 24%. The average fee increase in absolute terms varies significantly across regions, as regions with a higher current average fee will experience a relatively larger fee increase amount due to the uplift being applied in percentage terms. All regions will experience an increase to 100% of their cases.

Table 10: Average fee increases and proportion of prison law cases experiencing an increase in fees, split by region

Region	Volume of cases	Average fee increase per case (£)	Average fee increase per case (%)	Cases experiencing increase (%)
East Midlands	2,700	210	24%	100%
Eastern	1,300	300	24%	100%
London	5,100	259	24%	100%
Merseyside	1,100	230	24%	100%
North East	900	204	24%	100%
North West	900	186	24%	100%
South	300	177	24%	100%
South East	300	224	24%	100%
South West	500	123	24%	100%
Wales	1,000	159	24%	100%
West Midlands	2,100	241	24%	100%
Yorkshire and Humberside	1,400	179	24%	100%
Total	16,500	226	24%	100%
London	5,100	259	24%	100%
Non-London	12,300	212	24%	100%

- Figures may not sum due to rounding.
- All figures include VAT.

126. Table 11 sets out the average fee increase in absolute and percentage terms for each region across all four areas of reform. Most regions will benefit from an uplift of at least 10%, except for London. This is primarily a result of the relatively lower average percentage fee uplift for police stations in London as fees are already high, as detailed in Table 7.

127. Furthermore, London has one of the lower average percentage fee increases for Crown Court - LGFS cases at 2%, see Table 9. All regions will benefit from an average fee increase of at least £77 including VAT in steady state and an increase to at least 98% of their cases. Excluding London, the average fee increase is £96 (including VAT in steady state) with each region experiencing an average fee increase of at least £89 (including VAT in steady state).

128. As is the case in the magistrates' courts table, the impact of uplifting the Youth Court fee enhancement has been included in the final row, showing the overall impact.

Table 11: Average fee increases in steady state and proportion of all cases (police station, magistrates' courts, Crown Court - LGFS, and prison law) experiencing an increase in fees, split by region

Region	Volume of cases	Average fee increase per case (£)	Average fee increase per case (%)	Cases experiencing increase (%)
East Midlands	71,500	101	17%	99%
Eastern	85,200	94	16%	99%
London	160,200	77	6%	98%
Merseyside	29,200	97	12%	99%
North East	63,200	93	17%	99%
North West	105,400	97	13%	99%
South	65,300	94	16%	99%
South East	67,100	89	16%	99%
South West	73,000	95	22%	99%
Wales	61,000	93	16%	99%
West Midlands	89,800	101	10%	98%
Yorkshire and Humberside	110,300	95	11%	99%
Total	981,200	93	12%	99%
London	160,200	77	6%	98%
Non-London	820,900	96	14%	99%
Total including Youth Court enhanced fee uplift	981,200	93	12%	99%

- Figures may not sum due to rounding.
- All figures include VAT.

129. Table 12 sets out the average total office fee increase across each area of reform for each region. It should be noted that the average total office fee increase for each area is based only on those offices that completed work in that specific area. For instance, the averages presented for the prison law area reflect only the offices that carried out prison law work, not to all offices.

130. In every region except London, offices that take on police station attendance work will experience an average fee income increase of at least £38,800 (including VAT). London offices experience a smaller average increase due to a more modest rise in police station attendance fees compared to other areas and the high volume of offices in London. In all regions, offices that complete magistrates' courts cases will experience an average increase of at least £5,600 (including VAT). In all regions, offices taking on Crown Court - LGFS cases will experience an average fee income increase of at least £5,100 (including VAT). All offices that complete prison law cases will experience an average uplift of at least £9,500 (including VAT), with offices in the East Midlands and Eastern regions experiencing a significantly higher increase. This is due to the lower number of offices in these regions, which appear to specialise in prison law work. Overall, in most regions, offices will experience an average increase of at least £45,700 (including VAT) with the exception of London.

Table 12: Average fee income increases in steady state at the office level across each area of reform (police station, magistrates court, Crown Court – LGFS, prison law, and appeals), split by region²⁴

Region	All Offices²⁵	Police Stations	Magistrates' Courts	Crown Court – LGFS	Prison Law	Overall
East Midlands	99	55,100	9,300	7,300	112,100	73,100
Eastern	118	53,500	8,500	9,000	76,300	68,200
London	406	19,000	6,400	5,700	42,200	30,400
Merseyside	49	38,800	8,500	8,000	40,400	58,000
North East	80	63,500	10,900	8,700	21,000	73,600
North West	171	50,000	8,900	7,300	12,700	59,500
South	86	64,400	10,900	7,300	9,500	71,500
South East	99	48,500	8,500	6,200	22,200	60,400
South West	80	71,200	9,800	8,000	22,100	86,800
Wales	102	45,500	8,200	5,700	19,100	55,500
West Midlands	199	39,000	5,600	5,100	29,500	45,700
Yorkshire and Humberside	160	52,700	8,900	7,400	22,500	65,600
Total	1,649	43,900	8,100	6,700	33,900	55,100
London	406	19,000	6,400	5,700	42,200	30,400
Non-London	1,243	51,700	8,600	7,100	30,800	63,200
Total including Youth Court enhanced fee and appeals uplifts	1,649	43,900	8,400	6,700	33,900	55,500

- Figures may not sum due to rounding.
- All figures include VAT.

²⁴ Fee income increases resulting from Option 1e (uplifting appeals fees by 10%) has only been included in the final row overall value as there is no regional breakdown for this data.

²⁵ This represents the total number of offices in each region completing work in the areas of reform. The average increase per office for each reform area is based only on those offices that completed work in that specific area. For example, the average increase per office of £112,100 in the East Midlands for the prison law area applies only to offices completing prison law work that are based in that particular region, not to all offices in that region.

131. Table 13 describes the average fee increases per case for different office sizes, which is measured based on overall criminal legal aid income from those schemes that receive the proposed uplifts.²⁶ Overall, there is little difference in the average fee increase per case across firms of different size, with increases ranging from £91 to £93 including VAT in steady state.

132. However, as the office size increases, the average percentage fee increase declines from 17% for the smallest offices (criminal legal aid fee income up to £200k) to 10% for the largest offices (fee income greater than £800k). This is due to the smallest offices taking on a greater proportion of police station cases, and a lower proportion of Crown Court - LGFS cases relative to larger offices.

133. As police station cases will experience the greatest percentage fee uplift, and Crown Court - LGFS cases the lowest, the smallest offices will experience a greater overall percentage fee uplift. The impact of uplifting the Youth Court enhanced fee is not included in Tables 13 and 14.

Table 13: Average fee increases in steady state and proportion of cases experiencing an increase in fees (across police station, magistrates' courts, Crown Court – LGFS, and prison law), split by office total criminal legal aid fee income

Overall Criminal Legal Aid Income (£)	All Offices	Average fee increase per case (£)	Average fee increase per case (%)	Cases experiencing increase (%)
0-200,000	643	91	17%	99%
200,001-400,000	358	92	14%	99%
400,001-600,000	244	93	15%	99%
600,001-800,000	132	92	13%	99%
800,001+	272	93	10%	98%
Total	1,649	93	12%	99%

- Figures may not sum due to rounding.
- All figures include VAT.

²⁶ The main two schemes not included are AGFS and VHCC, as the proposed changes do not affect these schemes.

134. Table 14 presents the distribution of offices across different bands of fee income increases, based on the estimated fee uplifts for each office. Offices experiencing a greater total fee increase will experience a larger average fee increase in absolute and percentage terms. Offices experiencing a total fee income increase greater than £100,000 have an average percentage fee increase of 16%, whereas offices experiencing a total increase less than £25,000 have an average increase of 6%.

Table 14: Average fee increases in steady state and proportion of cases experiencing an increase in fees (across police station, magistrates' courts, Crown Court - LGFS, and prison law), split by office total criminal legal aid fee income increases

Overall Fee Income Increase (£)	All Offices	Average fee increase per case (£)	Average fee increase per case (%)	Cases experiencing increase (%)
0-25,000	683	86	6%	97%
25,001-50,000	337	89	9%	98%
50,001-75,000	206	90	11%	98%
75,001-100,000	141	92	14%	99%
100,001+	282	96	16%	99%
Total	1,649	93	12%	99%

135. Figures may not sum due to rounding.

136. All figures include VAT.