**LEGAL AID AGENCY WEBINAR**

TRANSCRIPT

**Criminal Legal Aid Reform – Advocate Graduated Fee Scheme:   
Part 1 - Cracked trials**

Hello and welcome to the ‘help us say yes’ webinars centred around the criminal legal aid reforms affecting the Advocate Graduated Fee Scheme.

Today's webinar is going to be split into four sections, looking firstly at ‘cracked trials’; then moving on to ‘paper heavy cases’; the ‘unused material fixed fee’; and, finishing off with the ‘unused material claims’ over three, for over three hours-worth of work.

So first we're going to look at cracked trials, so the criminal legal aid reforms known as the criminal legal aid reforms accelerated measures came in on the 17th of September 2020 and they affect all cases where the representation order is granted on or after that date.

The first, erm, the first reform centres around ‘cracked-trials’. The issue being that once the case has cracked - normally under the previous fee schemes, so under schemes 10 and 11 - if the case cracked, it would depend at what stage the case cracked to generate the right fee. So, you generally look at the ‘third’ that the case was had cracked in - so the first and second ‘third’ will generate one fee, and the crack in the final third would generate a higher fee.

With the legal age reforms, the concept of thirds is now obsolete, so if a case cracks at any stage, then the new cracked trial fee will be payable.

The Crown Court Defence system, also known as CCD, has been amended to calculate the correct payment value automatically. So, if you put in your cracked trial dates, it will automatically calculate the new fee, provided that the representation order is granted, on or after the 17th of September 2020.

For any cases where the client has elected for a Crown Court trial and the case cracks due to a change of plea, these cases are not treated as ‘cracked’ trials’, and the elected case fixed fee will still stand.

-- ENDS --