



Ministry  
of Justice

# **Criminal Legal Aid: Proposals for Solicitor Fee Scheme Reform**

## **Consultation Response**



Government of the United Kingdom

**Ministry of Justice**

# **Criminal Legal Aid: Proposals for Solicitor Fee Scheme Reform**

## **Consultation Response**

Presented to Parliament by the Lord Chancellor and  
Secretary of State for Justice by Command of His Majesty

December 2025



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**Criminal Legal Aid: Proposals for Solicitor Fee Scheme Reform**  
Consultation Response

# About this consultation response

This document is the post-consultation report for the consultation paper, 'Criminal Legal Aid: Proposals for Solicitor Fee Scheme Reform'.

It covers:

1. the background to the consultation
2. a summary of responses to the consultation
3. a detailed response to the specific questions raised in the consultation, and confirmation of which proposals will be implemented following this consultation.

Hard copies of this response and the consultation paper can be obtained by contacting the **Criminal Legal Aid Policy Team** at the address below:

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This report is also available at: <https://consult.justice.gov.uk/>

Alternative format versions of this publication can be requested from  
[Criminal.LegalAidPolicy@justice.gov.uk](mailto:Criminal.LegalAidPolicy@justice.gov.uk)

## **Complaints or comments**

If you have any complaints or comments about the consultation process, you should contact the Ministry of Justice at the above address.

# Foreword

Legal aid is vital to upholding the rule of law and an effective justice system. It helps to ensure that anyone, regardless of their means or background, can access justice.

Our criminal legal aid lawyers take on some of the most complex cases that go through our courts and represent some of the most vulnerable people in society. Their dedication ensures that trials are fair, and justice is served. They are a cornerstone of our criminal justice system.

But when this Government took office, we inherited a legal aid system stretched to breaking point, after years of underinvestment and neglect.

Since then, we have made it a priority to strengthen and stabilise the legal aid system, so it works effectively not only for those who depend on it, but also for those who serve within it. In December 2024, we announced up to an additional £92million a year for criminal legal aid solicitors, to support their important work.

We launched a consultation in May 2025, to seek views on how this money should be invested. I am grateful to the many people and organisations who took the time to respond, and to the Criminal Legal Aid Advisory Board for their thoughtful feedback.

After considering all responses, we have decided to prioritise measures that will best support the sustainability of the criminal legal aid market now, and in the future. We are making sure most solicitor fee schemes see an uplift, while providing more targeted support where it is most needed.

Where possible, we are also simplifying fee schemes and reducing the administrative burden on providers and the Legal Aid Agency.

As a result, we will increase magistrates' courts fees, including in the Youth Court, by 10%.

In the Litigators' Graduated Fee Scheme, we will increase some trial basic fees for the lowest paid offences and introduce a fixed ratio between guilty plea, cracked trial and trial basic fees.

We will also increase fees for work done in prisons by 24%.

In the police station, we will harmonise all fees to above the current highest paid fee.



We heard the concerns about the proposed police station escape fee threshold. In response, we are reducing the threshold level to enable more cases to reach the escape fee.

We also considered what more we could do to support the sustainability of the sector. That is why we will be uplifting fees for all solicitors' appeals work by 10%.

This significant investment will create a stronger and more sustainable criminal legal aid profession. Crucially, it will help us deliver this Government's Plan for Change, ensuring safer streets and rebuilding a justice system that truly delivers for all.

A handwritten signature in black ink, reading "Sarah Sackman". The signature is fluid and cursive, with the first name "Sarah" and the last name "Sackman" clearly distinguishable.

**Sarah Sackman KC MP**

Minister of State for Courts and Legal Services

## Executive summary

1. The consultation paper ‘Criminal Legal Aid: Proposals for Solicitor Fee Scheme Reform’ was published on 9 May 2025. It invited written responses on proposals to increase fees for criminal legal aid solicitors, covering work carried out by legal aid providers at police stations, in magistrates’ courts, in the Crown Court and in prisons. We sought views through the consultation from anyone with an interest in criminal legal aid in England and Wales, including, but not limited to, members of the criminal defence profession and their representative bodies, police station staff, defendants, academics, and others involved in the criminal justice system. We also held a sub-group of the Criminal Legal Aid Advisory Board (CLAAB), consisting of solicitors’ representative groups, to discuss and receive feedback on the consultation proposals.
2. The consultation period closed on 4 July 2025. We received a total of 214 responses. We conducted a detailed analysis and assessment of the responses. This report summarises the responses and sets out the policy decisions the government has taken following the consultation.

## Summary of the government’s proposals

3. Following careful consideration of all consultation responses and wider evidence provided by stakeholders, the government will take forward the following measures:
  - harmonising the fixed fee for all police station schemes at £320 excluding VAT, and harmonising the escape fee threshold at £650 excluding VAT;
  - uplifting all magistrates’ courts fees by 10%, including Youth Court fees;
  - establishing a fixed ratio of 65:75:100 between guilty plea, cracked trial, and trial basic fees under the Litigators’ Graduated Fee Scheme (LGFS);
  - uplifting the basic fees for the lowest paying offences under the LGFS;
  - uplifting prison law fees by 24%; and
  - uplifting fees for appeals work by 10%.
4. We received feedback concerning the police station escape fee threshold (the point at which additional fees can be claimed in exceptional cases, in addition to the usual fixed fee). Respondents’ comments highlighted that the level on which we consulted, £960 excluding VAT, which is calculated by providers using prescribed hourly rates, was too high and would make the threshold more difficult to reach. As a result, we will reduce the threshold to £650 excluding VAT, which equates to approximately two times the fixed fee as opposed to three times the fixed fee.

5. We also received feedback on fees for appeals work and will uplift them by 10% so they are consistent with the magistrates' courts fee scheme uplift. This will help support the sustainability of the firms who undertake this type of work. These additional uplifts will be implemented as soon as operationally possible this Parliament.
6. More details on each of these proposals, as well as the full government response, can be found in the respective sections of this response document.
7. An updated impact assessment and equalities statement have been published online alongside this consultation response paper.

## **Immediate next steps**

8. The government intends to amend the Criminal Legal Aid (Remuneration) Regulations 2013 to reflect the decisions made on fee changes. The fee uplifts will commence on specified dates that will be aligned with the necessary digital and operational changes required. Fee increases will be applied to all new cases that start after the specified commencement dates.
9. We will implement the uplifts in two stages. Our intention is that the first Statutory Instrument will come into force from 22 December 2025. This will cover the crime lower fee increases set out in this response, relating to work in police stations, magistrates' courts, prisons and for the following areas of appeals work: litigators' fees for proceedings in the Court of Appeal; Advice and Assistance on an appeal against conviction or sentence, or an application to the Criminal Cases Review Commission (CCRC); and, representation in the Crown Court on an appeal from a magistrates' court in proceedings prescribed as criminal proceedings under section 14(h) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
10. A second Statutory Instrument will be laid as soon as the required changes to uplift fees can be delivered through Legal Aid Agency (LAA) digital systems. This will cover the crime higher fee increases set out in this response, relating to the LGFS, and the following areas of appeals work: fixed fees for appeals in the LGFS and representation on an appeal by way of case stated in the High Court. We remain committed to implementing all the uplifts set out in this response as soon as operationally possible and within this Parliament.

# Introduction

11. The consultation paper ‘Criminal Legal Aid: Proposals for Solicitor Fee Scheme Reform’ was published on 9 May 2025. It invited written responses on proposals to increase fees for criminal legal aid solicitors, covering work carried out by legal aid providers at police stations, in magistrates’ courts, in the Crown Court and in prisons. We sought views through the consultation from anyone with an interest in criminal legal aid in England and Wales, including, but not limited to, members of the criminal defence profession and their representative bodies, police station staff, defendants, academics, and others involved in the criminal justice system.
12. The consultation period closed on 4 July 2025. We received a total of 214 responses. Stakeholders who responded to the consultation included representative bodies, the CLAAB, academics, and professionals working within the criminal legal aid sector. Of those who responded, 34% were doing so on behalf of an organisation, 33% were individuals, 30% were part of an organisation but not responding on behalf of it, and 3% did not specify.
13. To support the consultation, we discussed the proposals at a meeting of the CLAAB, chaired by Her Honour Deborah Taylor. We subsequently held a sub-group meeting of the CLAAB, which included representatives from the Criminal Law Solicitors’ Association, the London Criminal Courts Solicitors’ Association, the Chartered Institute of Legal Executives, the Law Society, Young Legal Aid Lawyers, Association of Prison Lawyers, and the Criminal Appeal Lawyers Association. The feedback received in this meeting has been taken into consideration within the government’s response.
14. This has been an open and collaborative consultation. MoJ is grateful to the CLAAB for their engagement and to the wide range of stakeholders who took the time to respond to the consultation, or otherwise contribute to the consultation process.
15. This report summarises the responses and our reflections. The report also sets out our policy decisions and the measures we are taking following consultation.
16. The first part of the Independent Review of the Criminal Courts (IRCC)<sup>1</sup> 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.

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<sup>1</sup> Independent Review of the Criminal Courts – Part 1  
[https://assets.publishing.service.gov.uk/media/686be85d81dd8f70f5de3c1f/35.49\\_MOJ\\_Ind\\_Review\\_Criminal\\_Courts\\_v8b\\_FINAL\\_WEB.pdf](https://assets.publishing.service.gov.uk/media/686be85d81dd8f70f5de3c1f/35.49_MOJ_Ind_Review_Criminal_Courts_v8b_FINAL_WEB.pdf)

The government will respond separately to Part 1 of Sir Brian's report in due course. We expect Sir Brian to finalise the second part of his review – on court efficiency – in due course.

## **Background**

17. In December 2024, the Lord Chancellor announced additional investment for 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 the Criminal Legal Aid Independent Review (CLAIR) to 24%.
18. CLAIR,<sup>2</sup> undertaken by Sir Christopher Bellamy QC (as he then was), was established 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).<sup>3</sup> CLAIR was published in December 2021 and the government response was published alongside a consultation in March 2022.<sup>4</sup>
19. The response to CLAIR proposed both investment and structural reforms to the fee schemes. The first phase focussed on additional investment, which led to a 15% increase to most fees (resulting in an overall 9% increase in funding for criminal legal aid solicitor fees). This decision was part of the then government's interim response to the CLAIR consultation in July 2022.
20. The second phase of the government's plans targeted longer-term system reform, leading to the Crime Lower consultation in January 2024. This focused on reform of the police station and magistrates' courts fee schemes (to introduce a separate Youth Court fee scheme), providing additional investment of £24 million. These changes were implemented in December 2024, bringing the total percentage uplift in funding for solicitor fees since CLAIR to 12%.

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<sup>2</sup> Independent Review of Criminal Legal Aid – Report  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/104111/17/clar-independent-review-report-2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/104111/17/clar-independent-review-report-2021.pdf)

<sup>3</sup> CLAIR Terms of Reference  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/946615/terms-of-reference.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/946615/terms-of-reference.pdf)

<sup>4</sup> Government's response to CLAIR and consultation on policy proposals  
<https://www.gov.uk/government/consultations/response-to-independent-review-of-criminal-legal-aid/outcome/governments-full-response-to-the-criminal-legal-aid-independent-review-and-consultation-on-policy-proposals>

## **Consulting on additional investment**

21. Following an assessment of criminal solicitor firms, we consider an additional investment of 12% since CLAIR (making a total increase in funding since CLAIR of 24%) necessary to support the sustainability of the sector.
22. The consultation paper 'Criminal Legal Aid: Proposals for Solicitor Fee Scheme Reform' summarised how we propose to invest the additional funding announced in December 2024. The proposals would distribute the additional funding across most criminal legal aid solicitor fee schemes, operating in the police station, magistrates' courts, Crown Court, and prisons. They are designed to deliver on crucial objectives for criminal legal aid and the wider justice system.
23. First, they would support the sustainability of the system – the proposed measures include fee uplifts where we consider increases to be most needed. They are designed to reach providers as quickly as possible this Parliament, as well as reduce administrative burdens where appropriate. Second, the proposals seek to support, as far as possible, wider government priorities for the criminal justice system. That includes the Deputy Prime Minister's commitment to bear down on the criminal courts backlog. This encompasses consideration of structural reforms, in addition to the efficiency and timeliness of court processes, from charge all the way through to case completion.
24. Given the data-driven work that determined the level of investment and that underpinned the package of measures on which we consulted, we consider the proposals to remain the best way to meet our objectives – namely, to support the sustainability, resilience, and efficiency of the legal aid market. However, we have also listened to feedback from respondents and propose to make some amendments to the final proposals in light of this, to better support sustainability.

## **Approach to Analysis**

25. The consultation asked a total of 14 questions. Of these, 6 questions asked specifically about proposals for changes to the respective fee schemes, whilst 8 related to equalities impacts.
26. All 6 questions about the proposals asked respondents to indicate their view by stating 'yes/no/maybe/do not know', as well as providing free text for respondents to state their reasons why. Some respondents indicated their views, but did not provide a free text response as to the reasons why they held that view. Upon analysis, a small number of respondents' free-text answers did not correlate with the view expressed in their 'yes/no/maybe/do not know' response. For example, some respondents stated that

they agreed with the proposal to increase magistrates' courts fees by 10% by answering 'yes' but then went on to say in their free text response that they did not agree with the proposed level of increase. Whereas other responses stated they disagreed with the proposal because they did not agree with the proposed level of the increase. To avoid incorrectly interpreting a respondent's answers, we have accepted the quantitative response at face value (meaning if a response selects 'yes', this has been recorded as a 'yes'). When deciding how to take forward the policy proposals, we considered all parts of the responses, to provide insight into views on the proposal.

27. The 8 questions regarding the Equalities Statement were all open-ended questions inviting views from respondents.
28. Both quantitative (numerical data from closed 'yes/no/maybe/do not know' questions) and qualitative (insights from free text questions) have been used in analysing the responses to the consultation. Long-form stakeholder responses have also been considered in detail.
29. Some statistics on the number of respondents answering a question will not necessarily add up to the total number of responses. This is because some respondents did not engage with all questions posed in the consultation. Additionally, some respondents may have provided several reasons for their answer. This means that some of the summed proportions will exceed 100% due to individual responses covering multiple themes.
30. Some responses were not directly relevant to the question asked, or raised issues outside of the scope of this consultation. These responses have been noted and will help to inform the evidence base for future policy development in these areas.

# Responses to the consultation questions

## Police Station Fee Scheme

31. The consultation proposed to fully harmonise police station fees, by uplifting all schemes to a fixed fee of £320 excluding VAT. This is above the current highest fee paid, for the Heathrow scheme, which is a fixed fee of £315.86 excluding VAT.
32. It also proposed to maintain the way the threshold for escape fees is calculated, which has historically been three times the fixed fee. With the new fixed fee of £320 excluding VAT that was proposed in the consultation, this would make the threshold for escape fees £960 excluding VAT. Providers calculate whether they have reached the escape fee threshold by using the hourly rate, which we did not propose to change.

**Question 1)** Do you agree with the proposals to harmonise police station fees to £320 (excluding VAT) and escape fee thresholds to £960 (excluding VAT)? Please state yes/no/maybe/do not know and provide reasons.

33. A total of 196 responses were submitted to this question. Of these, 65% of respondents agreed with the proposal outlined above, whilst 12% disagreed. For those who were in favour, comments were made that the uplifts proposed were welcome and overdue, and in some areas would be a significant increase to the current fees.
34. However, several respondents also voiced concerns with the proposed escape fee threshold. Of the 196 respondents to this question, 30 respondents (15%) raised issues with the escape fee, largely commenting that although the uplift itself was welcome, the proposed escape fee threshold was too high and maintains a position that is rarely reached.
35. Some respondents raised concerns about 'out of hours', or 'unsociable hours' work in the police station, and a few respondents proposed suggestions for separate remuneration of this work.
36. A small number of respondents commented that they believed there should be a separate fixed fee for areas with a higher cost of living (predominantly in reference to London, although Kent and South East England more generally were also mentioned). In contrast, a few respondents commented that they welcomed the full harmonisation across the country.



## **Government response**

37. Taking account of the views expressed by respondents to the consultation, the government has decided to take forward the proposal to harmonise all schemes to the fixed fee of £320 excluding VAT.
38. This change will mean that all schemes see an uplift, supporting the sustainability of the market, and will address current disparities between the police station fee schemes that have arisen since 2008.
39. Harmonisation also contributes to simplifying the police station fee scheme and reducing administrative burdens.
40. Following consideration of respondents' concerns with the proposed escape fee, the government has decided not to pursue setting the threshold for cases to escape at £960 excluding VAT, as proposed.
41. Instead, we have reviewed the method used to determine the threshold. The escape fee will now be based on the mean average of the current escape fee thresholds, adjusted for case volume, instead of being set at three times the fixed fee. Using this method, the threshold for escape fees will be set at £650 excluding VAT, which is approximately two times the fixed fee.
42. Whilst we note a small number of respondents' concerns about London weighting, the government will be taking forward the proposal for an uplift of £320 excluding VAT across all schemes. A central aim of harmonising fees is to create a simpler fee system, reducing administrative burdens and preventing inconsistencies in relative payment. We do not feel that moving to a geographically weighted system would support this aim. There are also areas outside of London that have similarly high living and business costs, which do not fit neatly into one definable area. Additionally, some schemes, particularly in rural areas, may have a lower cost of living but will have fewer providers and longer distances to travel, justifying a harmonised fee.
43. We recognise some respondents called for a separate remuneration for 'out of hours' or 'unsociable hours' work. The current police station fixed fee scheme accounts for unsociable hours, as when fixed fees were introduced they took into account payments previously made at hourly rates, including payments for work during unsociable hours. The uplifts to police station fees will positively impact all providers, including those that work unsociable hours. While we have noted the feedback about specific remuneration for 'out of hours' fees, this is not being taken forwards at this stage.

## **Magistrates' Courts Fee Scheme**

44. The consultation proposed uplifting all magistrates' courts and Youth Court fees by 10%.
45. The proposal included an increase to the Youth Court enhancement, implemented in December 2024, and duty solicitor hourly rates.

**Question 2)** Do you agree with the proposal to increase magistrates' courts fees by 10%? Please state yes/no/maybe/do not know and provide reasons.

46. A total of 196 responses were submitted to this question. Of these, 48% of respondents agreed with the proposal. 26% of respondents disagreed. 8% of respondents did not answer the question. Those who were in favour thought this proposal would be a welcome increase. Reasons given for this included that the uplift would pay more reasonably for work done and may help attract new people into the profession.
47. Of those who disagreed with the proposal, almost all did so due to the belief that the proposed 10% uplift was not high enough, nor reflective of the difficulty of, and expectations of time spent on, magistrates' courts work.
48. Comments were made that recruitment and retention is an area of concern within the magistrates' courts, due to current funding levels. Respondents also noted the added complexity to undertaking magistrates' courts work, due to waiting time, and increased travel time to courts.

## **Government response**

49. The government will uplift all magistrates' courts fees by 10%. Considering the responses to the consultation, many respondents (48%) to this question agreed with the proposal and, based on modelling, a 10% uplift as a part of this package of reforms will support the sustainability of the sector.
50. Following CLAIR, in 2022, fees for magistrates' courts work were increased by 15%. Furthermore, Youth Court fees were increased as a result of the Crime Lower Consultation in December 2024, when a separate Youth Court enhancement fee scheme was introduced.
51. In 2024, changes to sentencing powers in the magistrates' courts were announced, which now allow magistrates to impose custodial sentences for up to 12 months for a single offence. This amounts to a doubling of their previous powers and is estimated to

save approximately 2,000 days in the Crown Court. Increased sentencing powers will see more serious cases, and therefore possibly more complex work, retained in the magistrates' courts. More generally, we are seeing an increase in the volume of completed work taking place in the magistrates' courts.<sup>5</sup>

52. Based on evidence and modelling, a 10% uplift, following uplifts since CLAIR, appropriately supports the potential increased complexity of this work, as well as aligning with the wider government aim to hear more cases in the lower courts where appropriate, to support wider court efficiency. We also consider that a 10% uplift, combined with the uplifts since CLAIR, will support the workforce needed now and into the future.
53. While the government acknowledges the concerns raised by some respondents that the 10% uplift is insufficient, uplifts for the magistrates' courts have been considered in tandem with LGFS fees. This proposal aims to ensure a proportionate balance between the magistrates' and LGFS schemes, supporting both hearing more cases in the lower courts, and addressing provider concerns about the profitability of some LGFS work.

## **Litigators' Graduated Fee Scheme (LGFS)**

### **A fixed ratio between outcomes**

54. The consultation proposed the implementation of a fixed ratio between the basic fees for the outcomes of a case. The proposed ratio of 65:75:100 corresponds to the basic fees for guilty pleas, cracked trials and trials respectively.

**Question 3)** Do you agree with the proposal to implement a fixed ratio of 65:75:100 for basic fees in the Litigators' Graduated Fee Scheme? Please state yes/no/maybe/do not know and provide reasons.

55. A total of 194 responses were submitted to this question. Of these, 43% of respondents were in favour of the proposed ratio, whilst 11% disagreed and 14% answered with 'maybe'. For those who were in favour, comments were made that the proposal will ensure fees better reflect the work carried out in the earlier stages of a case and that harmonising fees through the ratio will make the fees simpler and easier to understand.

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<sup>5</sup> 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% in 2024-25 compared to 2023-24  
<https://www.gov.uk/government/statistics/legal-aid-statistics-quarterly-january-to-march-2025>

Around one quarter of those respondents who were in favour of the proposal also commented that additional funding is required.

56. Of those who did not agree with the proposal, 83% stated this was due to the level of funding being proposed, with some respondents calling for greater investment.
57. Other key themes in the responses to this question included suggestions to amend the structure of the ratio so that the cracked trial basic fee was raised to either 95% or 100% of a trial basic fee. Respondents outlined that this would better reflect the amount and complexity of the work required for a trial that cracks.
58. Some respondents suggested that fee increases should be awarded annually and that they should be linked to inflation. Finally, some respondents suggested that the LGFS should include an 'exceptional fee' add-on, similar to the Advocates' Graduated Fee Scheme (AGFS), in cases where there is a significant amount of additional work.

## **Government response**

59. The government will introduce a fixed ratio of 65:75:100 which corresponds to the basic fees for guilty pleas, cracked trials and trials respectively, across all offence types within the LGFS. 43% of respondents were in favour of the implementation of a ratio. Of those respondents not in favour of the proposal (11%), 83% were not in favour because of the level of funding rather than the ratio itself.
60. Based on the evidence available to us, the implementation of a fixed ratio will help to support the earlier consideration of a case and, where appropriate, could lead to more cases being resolved at an earlier stage. Raising all guilty plea fees to 65% of a trial basic fee will reflect and encourage the important work needed at the start of a case to consider an appropriate plea. Additionally, introducing a fixed ratio across offences and outcomes allows us to partly simplify the LGFS and reduce the administrative burden for legal aid providers and the LAA.
61. The government acknowledges requests made by some respondents to raise the cracked trial basic fee to 95% or 100% of the trial fee, similar to the AGFS, which remunerates barristers for their work in the Crown Court.
62. However, we continue to believe introducing the fixed ratio at a level of 65:75:100 strikes a balance between paying an appropriate rate for the work required of a cracked case and not disincentivising the earlier consideration of a case before the plea and trial preparation hearing.
63. The government also acknowledges the request for inflation-linked annual rises to fees, included in responses to questions 3, 4 and 5. We consider the proposed level of

investment to be sufficient to support our aim of supporting the sustainability of the criminal legal aid solicitor market. In addition, the fact that inflation levels are unpredictable would make it difficult to set aside funding each year. However, we will continue to work with stakeholders, including the CLAAB, to monitor sustainability.

## **Uplifting the lowest paid basic fees**

64. The consultation proposed uplifting the basic fees for the lowest-paying offences within LGFS, offence types E to I (burglary, etc; other offences of dishonesty; other offences of dishonesty (>£30,000); miscellaneous other offences; offences against public justice), by around 33%.
65. Offence Type E would see an increase of 35%, and offence types F to I would raise by 33%. The slightly higher increase of 35% would bring the fees for Offence Type E in line with the other offences, harmonising the scheme where possible and making it simpler for both legal aid providers and the LAA.

**Question 4)** Do you agree with the proposal to raise the trial basic fee for Offence Types E, F, G, H and I by around one third? Please state yes/no/maybe/do not know and provide reasons.

66. A total of 192 responses were submitted to this question. Of these, 58% of respondents were in favour of the proposal to raise the trial basic fee for Offence Types E, F, G, H and I by around one third, whilst 13% disagreed and 7% answered with 'maybe'. For those who were in favour, comments were made that the proposal would ensure fees for these offences better reflect the work required.
67. All respondents who did not agree with the proposal outlined that this was due to the level of funding being proposed, with respondents calling for greater investment. Suggestions included increasing the trial basic fees being consulted on by 50%, instead of by around a third, and that all basic fees should be increased. In particular, some respondents outlined their view that a minimum fee for Crown Court work of £1,000 should be introduced to reflect the work and expertise these cases require.
68. As with Question 3, some respondents also suggested that fee increases should be awarded annually and that they should be linked to inflation.

## **Government response**

69. The government will uplift the trial basic fees for the lowest-paying offences within LGFS, offence type E by 35% and offence types F to I by 33%.
70. A total of 58% of respondents were in favour of this proposal, primarily agreeing with the aim of reflecting the work required of cases under the selected offence bands. The uplift to trial basic fees will also interact with the fixed ratio proposal, increasing the fees for offence types E to I across all outcomes.
71. We acknowledge the calls for a higher uplift, including the £1,000 minimum fee for Crown Court work, and we will take this feedback into consideration.
72. The government also acknowledges the request for inflation-linked annual rises to fees, included in responses to questions 3, 4 and 5. As set out in paragraph 63, we consider the level of investment to be sufficient to support our aim of supporting the sustainability of the criminal legal aid solicitor market. Our full response can be found in paragraph 63.
73. The table on the next page illustrates the impact of the proposals contained within the solicitor consultation, both the implementation of a fixed ratio and the around 33% rise for lowest paid basic fees, showing that the majority of basic fees within LGFS will be raised.

**Table 1: The impact of consultation proposals on current 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%

## Other areas of LGFS

74. Alongside questions 3 and 4 on LGFS, the consultation included an open question for respondents to suggest other areas of the scheme that would benefit from additional funding.

**Question 5)** Are there any other areas of LGFS, such as committals for sentence, that would benefit from additional funding? Please provide reasons for your answer.

75. Of the 214 respondents to the consultation, 139 provided an answer to question 5. Of these, 60% agreed that committals for sentence would benefit from additional funding, with several respondents highlighting the extra work involved should the committal involve a Newton hearing or multiple hearings in general. A total of 20% raised appeal fees and 12% the fees for breach proceedings. 15% commented that all LGFS fees would benefit from additional funding. A smaller proportion of respondents commented that fees would benefit from either being linked to inflation or being decided by a pay review body, which was also brought up in responses to questions 3 and 4.

## Government response

76. Fees for committals for sentence were raised by the CLAAB and by consultation respondents as requiring an uplift. Historically, the scale of this issue has been difficult to quantify, and any changes to fees for committals for sentence will likely require significant funding. Whilst the government acknowledges the number of respondents who mentioned committals for sentence, we will not be taking forward changes to these fees at this stage.

77. 20% of respondents to question 5 of the consultation commented that appeals would benefit from a fee uplift. Appeals were also raised in a litigators' subgroup of CLAAB held in June 2025. All CLAAB subgroup members agreed that appeals should have been part of the consultation and recommended that the fees should be increased, warning that without funding providers may stop offering the service due to its uneconomic nature.

78. 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 CCRC and for appeals to the High Court by way of case stated.

79. 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, including where a new firm has been instructed to advise and assist on the appeal element of a case, other than appeals to the Crown Court in the magistrates' courts fee scheme. If advice is sought from new solicitors, they are paid under the Advice and Assistance scheme.

80. Following the consultation feedback, we believe that increasing the relevant solicitor fees for these areas of work by 10% would be consistent with the rationale underpinning the magistrates' courts fee scheme uplift. It would also help to promote the sustainability of the firms who undertake this type of work. The relevant solicitor fees for appeals work cover those included in the magistrates' courts scheme, Advice and Assistance (including applications to the CCRC), LGFS, the Court of Appeal (litigators) and appeals to the High Court.
81. The government also acknowledges the request for inflation-linked annual rises to fees, included in responses to questions 3, 4 and 5. As set out in paragraph 63, we consider the level of investment to be sufficient to support our aim of supporting the sustainability of the criminal legal aid solicitor market. Our full response can be found in paragraph 63.

## **Prison Law Fee Scheme**

82. The consultation proposed to increase prison law fees by 24%.

**Question 6)** Do you agree with the proposal to increase prison law fees by 24%? Please state yes/no/maybe/do not know and provide reasons.

83. We received 203 responses to this question. 46% of respondents agreed with the proposal to increase prison law fees by 24%.
84. Approximately 4% of respondents disagreed with the proposal, and 5% did not answer.
85. A total of 41% of respondents selected 'do not know' in response to the question. Of the percentage of those who answered 'do not know', 21% commented that they did not practice prison law.
86. For those who were in favour, comments were made that this uplift was welcome, much needed, and overdue.

87. Some respondents used this question to discuss the increased complexity of prison law work, and to note that there has not been an uplift in fees for a long time in this area.

## **Government response**

88. The government has carefully considered the responses received to this proposal and has made the decision to uplift prison law fees by 24%, bringing prison law fees on par with other solicitor fee increases.

89. This change will support the sustainability of the prison law legal aid sector and may have a positive impact on recruitment and retention in the sector.

90. The government acknowledges requests made by some stakeholders for structural reform of the prison law fee scheme. We thank respondents for their considered insights on the matter. We will not be pursuing this option in this package of measures, as doing so would lead to significant delays in funding reaching the system. The uplift of 24% overall will be able to enter the system at a much faster pace than if the entire fee scheme was fundamentally reformed, and will therefore be a quicker way to support providers carrying out prison law work.

## Financial Summary

91. The Impact Assessment accompanying this consultation document provides a monetised statement of the anticipated impacts of implementing the detailed proposals provided in the chapters above. Implementing these proposals would increase funding for solicitor fees by approximately a further 12%, bringing the overall uplift in funding for solicitor fees since CLAIR to around 24%.
92. The proposals in this consultation currently amount to a best estimate total of around £92 million a year in steady state, within a range of £82m to £103m that reflects the uncertainty in the estimate. The table below shows a breakdown of the proposed expenditure in steady state. The accompanying Impact Assessment provides the full details behind these estimates.
93. The increase in the estimates from those included in the consultation paper is due to an increase in volumes between these two periods. The figures below are based on the latest data for FY24/25.

**Table 2 – Steady state annual expenditure summary**

<b>Summarised proposals</b>	<b>Estimated steady state annual costs (best estimate) (£m)</b>
Harmonisation of the police station attendance fee scheme	65
Increase magistrates' courts fees by 10%	13
Increase basic fees for some trials, and introduce fixed ratio between guilty plea, cracked trial, and trial basic fees in LGFS	10
Increase prison law fees by 24%	4
Increase fees for appeals work by 10%	0.2
<b>Total</b>	<b>92</b>

Figures do not sum due to rounding.

Figures include VAT.

# Consultation principles

The principles that government departments and other public bodies should adopt for engaging stakeholders when developing policy and legislation are set out in the Cabinet Office Consultation Principles 2018:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/691383/Consultation\\_Principles\\_\\_1\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/691383/Consultation_Principles__1_.pdf)

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