

7. Analysis of payments

7.1 Legal assistance expenditure

Subject matter	Expenditure				Income			Total 2008-2009		Total 2007-2008
	Advice & assistance £000	ABWOR £000	Legal aid £000	Total gross cost £000	Contributions from assisted persons £000	Expenses from opponents £000	Amounts awarded to assisted persons £000	Total income £000	Total net cost £000	Total net cost £000
Civil legal assistance										
Family/matrimonial	5,889	-	17,819	23,708	1,017	339	849	2,205	21,502	20,861
Debt	745	4	451	1,200	25	73	36	133	1,066	1,111
Reparation	1,554	-	8,084	9,638	-17	6,369	256	6,608	3,030	3,690
Judicial review	117	-	479	596	0	346	0	347	249	301
Appeals	26	-	927	953	10	356	3	369	585	285
Housing/Recovery of heritable property	1,034	-	358	1,392	27	24	15	66	1,327	1,294
Adults with incapacity	195	-	958	1,153	2	11	0	14	1,139	845
Medical negligence	177	-	629	806	7	286	-1	292	514	431
Mental health	1,123	3,570	-	4,693	0	0	0	0	4,693	2,740
Immigration and asylum	2,194	1,257	415	3,866	1	165	0	166	3,700	2,854
Breach of contract	76	-	184	260	3	22	21	46	214	0
Discrimination	15	-	9	24	0	0	0	0	24	0
Other	2,839	55	1,688	4,583	105	89	108	302	4,281	4,944
Total civil legal assistance	15,985	4,886	32,002	52,872	1,180	8,081	1,286	10,548	42,324	39,357
Criminal legal assistance										
Murder/attempted murder/culpable homicide	29	-	7,899	7,928	0	-	-	0	7,928	9,578
Assault	557	871	21,779	23,207	3	-	-	3	23,203	22,935
Sexual offences	41	62	4,702	4,805	0	-	-	0	4,805	4,646
Theft/housebreaking/robbery	637	2,281	9,242	12,160	2	-	-	2	12,158	12,974
Embezzlement/fraud	68	169	1,503	1,740	0	-	-	0	1,740	1,916
Drugs	274	903	11,162	12,339	0	-	-	0	12,339	13,579
Offensive weapons/vandalism/breach of the peace	845	2,134	12,379	15,358	3	-	-	3	15,355	17,963
Road traffic offences	460	1,399	5,139	6,997	1	-	-	1	6,996	7,886
Bail, including breach of bail	107	580	204	891	0	-	-	0	891	139
Other	1,186	2,703	7,302	11,192	5	-	-	5	11,187	12,845
Appeals	64	-	3,366	3,430	0	-	-	0	3,430	3,416
Duty	-	-	1,657	1,657	0	-	-	0	1,657	1,308
Total criminal legal assistance	4,267	11,104	86,333	101,704	14	-	-	14	101,690	109,185
Children's legal assistance	388	-	3,784	4,172	-	-	-	0	4,172	4,529
Contempt legal assistance	26	0	145	171	-	-	-	0	171	181
Total legal assistance expenditure 2008-2009	20,666	15,989	122,118	158,919	1,195	8,081	1,286	10,562	148,357	-
Total legal assistance expenditure 2007-2008	24,447	6,158	135,593	166,197	1,062	10,344	1,355	12,762		153,435

Notes

- Expenditure and income are not necessarily linked and income can be expected to vary from year to year. Some income, such as that from property recovered and preserved or contributions paid over 20 months (the majority), may be received by the Board well after the original case has concluded, in some cases years later.
- Total expenditure excludes miscellaneous payments, PDSO and Part V expenditure, which are shown in table 1.5.

7.2 Analysis of payments for all categories

Type of legal assistance	Number of cases	Fees (including VAT)			Total fees		Outlays (inc counsel outlays)		Total 2008-2009		Total 2007-2008
		Solicitor £000	Advocate £000	Solicitor advocate £000	Including VAT £000	Excluding VAT £000	Including VAT £000	Excluding VAT £000	Including VAT £000	Excluding VAT £000	Including VAT £000
Civil legal assistance											
Civil advice and assistance	76,149	13,959	-	0	13,959	11,910	2,025	2,025	15,985	13,934	16,545
Civil ABWOR	4,282	3,644	-	0	3,644	3,124	1,242	1,242	4,886	4,366	2,624
Civil legal aid	12,866	17,409	5,067	32	22,508	19,455	9,494	9,485	32,002	28,939	33,133
Total civil legal assistance	93,297	35,012	5,067	32	40,111	34,488	12,761	12,751	52,872	47,239	52,303
Criminal legal assistance											
Criminal advice and assistance	59,335	4,112	-	-	4,112	3,499	155	155	4,267	3,654	7,451
Criminal ABWOR	28,375	10,906	-	-	10,906	9,346	197	197	11,104	9,543	3,534
Total summary criminal legal aid	65,014	41,118	156	55	41,328	35,385	1,527	1,479	42,855	36,864	52,604
Total solemn criminal legal aid	12,775	24,549	8,585	2,143	35,277	30,183	3,177	2,974	38,454	33,157	40,954
Total appeals	2,123	1,540	1,255	345	3,140	2,689	225	204	3,366	2,893	3,334
Duty (note 1)	-	1,605	1	1	1,607	1,381	50	44	1,657	1,425	1,308
Total criminal legal assistance	167,622	83,831	9,997	2,544	96,371	82,483	5,332	5,053	101,704	87,536	109,185
Children's legal assistance											
Children's advice and assistance	3,945	381	-	-	381	325	7	7	388	332	419
Children's legal aid	3,706	2,645	909	0	3,554	3,041	229	215	3,784	3,256	4,110
Total children's legal assistance	7,651	3,026	909	0	3,935	3,366	237	222	4,172	3,588	4,529
Contempt legal assistance											
Contempt advice and assistance	320	25	-	-	25	21	1	1	26	23	31
Contempt ABWOR	9	0	-	-	0	0	0	0	0	0	0
Contempt of court legal aid	461	106	17	18	142	122	3	3	145	124	149
Total contempt legal assistance	790	132	17	18	167	143	4	4	171	147	180
Total 2008-2009	269,360	122,001	15,989	2,595	140,585	120,480	18,334	18,030	158,919	138,510	-
Total 2007-2008	323,231	126,442	18,913	2,724	148,079	126,452	18,118	17,800	-	-	166,197

Notes

- Duty solicitors made 27,734 appearances on behalf of accused persons. The PDSO also made 1,051 appearances as duty solicitor.
- In this table, advice and assistance payments to advocates and solicitor advocates are included under outlays, as regulation 17(1) of the Advice and Assistance Regulations 1996 only provides for payments to the solicitor, of fees and outlays.

Throughout this statistics section

- unless otherwise stated, figures for accounts paid include VAT and are prepared on a cash basis and include all accounts passed for payment during the year
- in tables showing accounts paid, unless otherwise stated, outlays include all payments other than fees paid to solicitors and advocates - for example, expert witnesses.