The Recorder

March 1999 Issue no 26

Always improving our service for the people of Scotland

YOUR GUIDE TO FIXED PAYMENTS

The Secretary of State has decided to use the powers conferred on him by Section 33 and 41(A) of the Legal Aid (Scotland) Act 1986, as amended by the Crime and Punishment (Scotland) Act 1997, to prescribe fixed payments for summary criminal legal aid. The new provisions are contained in the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999 which come into force on 1 April 1999.

The Board is preparing for the introduction of these regulations and, to assist you in implementing them, we have prepared this special edition of The Recorder. In addition, we are also

- revising the account synopsis form (a copy is enclosed)
- considering any amendments to the existing Code of Practice, especially with regard to personal time recording
- preparing a 'questions and answers' article which, with your assistance in posing further questions, will be published in the May edition of the Journal of the Law Society of Scotland.

If you have any questions about the fixed payments regulations or the procedures for submitting accounts, we would like to hear from you. We will then use your questions as the basis of the article for the Journal.

If you have a question about fixed payments, contact our Legal Services Department at 44 Drumsheugh Gardens, Edinburgh EH3 7SW.

INVESTOR IN PEOPLE

PROCEEDINGS TO WHICH THE FIXED PAYMENT REGULATIONS APPLY

The fixed payment regulations shall apply to criminal legal aid provided by a solicitor in relation to summary proceedings other than excluded proceedings (for excluded proceedings see page 7).

1 April 1999

The regulations shall apply:

3(2) (a) in respect of relevant criminal legal aid first made available in terms of sections 22 or 24(7) of the Act [automatic criminal legal aid], only in relation to any case where criminal legal aid is first so available on or after 1 April 1999; and

(b) in respect of relevant criminal legal aid first made available otherwise [a grant of legal aid under section 24 of the Act], only in relation to any case where an application for criminal legal aid is granted on or after that date.

The effect of this is that the regulations will take effect in respect of all automatic criminal legal aid being provided to a client from the morning of 1 April 1999. The fixed payment of £25 will be payable only for work carried out under automatic criminal legal aid which is first so available on or after 1 April. Any automatic legal aid work which was in the course of being carried out shall be charged on a time and line basis and shall continue to be charged on a time and line basis after 1 April. The new fixed payment regulations will apply to all summary criminal legal aid certificates where the effective date marked on the certificate is 1 April 1999 or later. You should note that the date of issue of the certificate may be later but it is the effective date which indicates the date of grant of criminal legal aid.

Example: **Where legal aid granted (basic sheriff court fee)**

Pre – 1 April automatic work	=	detailed account for automatic work + £500
1 April automatic work	=	£25 + £475

Where legal aid refused

Pre – 1 April automatic work	=	detailed account
1 April automatic work	=	£25

BASIS OF THE SCHEME - FIXED PAYMENTS

FIXED PAYMENTS (SCHEDULE 1 OF REGULATIONS)

1. All work up to and including	District court	Sheriff/ stipendiary court	Schedule 2 courts
(i) any diet at which a plea of guilty is made and accepted or plea in mitigation is made;	£300 (£275*)	£500 (£475*)	£550 (£525*)
(ii) the first 30 minutes of conducting a proof in mitigation other than in the circumstances where paragraph (2) below applies; and			
(iii) the first 30 minutes of conducting any trial together with any subsequent or additional work other than that specified in paragraphs 2-9 below.			

* Where automatic legal aid has been made available.

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	District court	Sheriff/ stipendiary court	Schedule 2 courts
2. All work done in connection with a grant of legal aid under section 23(1)(b) of the Act including the first 30 minutes of conducting a proof in mitigation.	£25	£50	£50
3. Conducting a trial or proof in mitigation for the first day (after the first 30 minutes).	£50	£100	£100
4. Conducting a trial or proof in mitigation for the second day.	£50	£200	£200
5. Conducting a trial or proof in mitigation for the third and subsequent days (per day).	£100	£400	£400
6. Representation in court at a diet of deferred sentence.	£25	£50	£50
7. All work done where the accused is in custody and has tendered a plea of not guilty until determination of the application for legal aid.	£25	£25	£25
8. All work done by virtue of section 24(7) of the Act until determination of the application for legal aid.	£25	£25	£25
9. All work done in connection with a bail appeal under section 32 of the 1995 Act.	£50	£50	£50

Schedule 1 to the regulations provides for a number of fixed payments related to distinct stages of a case. There is, however, what may be described as a core fixed payment which is payable in respect of the case itself – no matter how little or how much work is done – from the date of availability of criminal legal aid to, and including, any diet at which a plea of guilty is made and accepted or plea in mitigation is made or, alternatively, the first 30 minutes of conducting a trial or proof in mitigation. In the particular circumstances of a case, further fixed payments may become payable, as detailed on page 6.

The fixed payments differ according to whether the case is heard in the district court by a lay justice or in the sheriff court (see table on page 2 and above). Sheriff court cases and those set down for the stipendiary magistrates court attract a higher rate of payment because of the greater sentencing powers available and because such cases are considered likely to be more complex. The higher rate does not apply to cases which for one reason or another are eventually dealt with by the stipendiary magistrate. Such cases must have been set down for the stipendiary magistrate when the complaint was served.

WHAT IS COVERED BY THE CORE FIXED PAYMENT

In terms of Schedule 1 of the regulations, the fixed payment per case covers all work up to and including

(i) any diet at which a plea of guilty is made and accepted or plea in mitigation is made
(ii) the first 30 minutes of conducting a proof in mitigation (other than work done in connection with a grant of legal aid under Section 23(1)(b)), and
(iii) the first 30 minutes of conducting any trial
together with any subsequent or additional work other than that specified in the draft Schedule. [Paragraph 1]

The fixed payment is in respect of the professional services provided by a solicitor up to a certain stage of the proceedings. Inherent in the scheme, however, is the inclusion within the fixed payment of the following outlays. The regulations provide

4 (1) There shall be made to a solicitor who provides relevant criminal legal aid in summary proceedings, in respect of the professional services provided by him and the outlays specified in paragraph (2) below, and in accordance with the provisions of this regulation, the fixed payments specified in the Schedule 1.

(2) The outlays specified in this paragraph are all outlays in connection with

(a) the taking, drawing, framing and perusal of precognitions
(b) the undertaking by another solicitor of any part of the work, and
(c) photocopying.

Note: "Relevant criminal legal aid" means criminal legal aid provided by a solicitor in relation to summary proceedings other than excluded proceedings.

OUTLAYS NOT INCLUDED WITHIN THE FIXED PAYMENT ALLOWABLE TO SOLICITORS

Outlays which are not included within the fee element and, therefore, the fixed payment allowable to solicitors in respect of each case are outlays incurred in respect of

- employment of counsel
- witness expenses
- expert witnesses
- travelling expenses e.g. mileage in attending court (not being a court in the town or place where the solicitor has a place of business).

The regulations provide that the fixed payment shall include the outlays 'in connection with…taking, drawing, framing and perusal of precognitions'. Accordingly, there can be no additional payments claimed for mileage or travel costs associated with the taking of precognitions. Equally, any outlay incurred in the employment of a precognition agent is included in the fixed payment.

Prison Visits

The exclusion relating to the costs in taking precognitions would apply to attending prison to precognose a witness. On the other hand, a visit to a client will generally entail an element of taking instructions and advising even where the purpose or consequence of the visit is to take a precognition. On this interpretation, most visits to a client would justify the claiming of the costs of travel. Regulation 8 of the Criminal Legal Aid (Scotland) (Fees) Regulations 1989 continues to apply and all outlays require to be incurred with due regard being had to economy. A number of visits to a client or visits to distant prisons will still require to be justified in the event that the outlays are considered by the Board to be significant.

SECTION 23(1)(B)

Separate provision is made for a fixed payment available for

all work done in connection with a grant of legal aid under section 23(1)(b) of the Act including the first 30 minutes of conducting a proof in mitigation. [Paragraph 2].

This is the only payment in respect of the work done under section 23(1)(b). In the event of a proof in mitigation, the first 30 minutes of the proof is included in the fixed payment. Schedule 1 paragraphs 3 to 5 provide for additional fixed payments for a lengthy proof in mitigation (the same fixed payments as apply to trials). The fixed payment includes a continued hearing for reports etc.

AUTOMATIC AVAILABILITY OF CRIMINAL LEGAL AID

The Schedule prescribes a fixed payment where work is done under Section 22(1)(d) **(where client is in custody and is being prosecuted under summary procedure and has tendered a plea of not guilty, and made an application to the Board for legal aid in connection with the proceedings, until his application has been determined by the Board)** or Section 24(7) **(where the trial of an accused person is adjourned and he has made an application to the Board until his application is determined by the Board)**. This sum covers all work prior to determination of the application by the Board and is payable whether the application is granted or refused. If the application is granted, a reduced core fixed payment is available. The effect is that the total work carried out in a case either under automatic legal aid or a grant of legal aid will be remunerated at the same level.

The fixed payment for work carried out under automatic criminal legal aid is £25 in all courts.

ENHANCED CORE PAYMENTS

Rural courts
There is a list contained in Schedule 2 of courts which attract an enhanced fixed payment.

SCHEDULE 2

Specified sheriff courts
Campbeltown
Dunoon (where proceedings have taken place in Lochgilphead)
Kirkwall
Lerwick
Lochmaddy
Oban
Portree
Rothesay
Stornoway

Under 21 year olds in custody
The regulations provide for an enhanced payment to a solicitor representing an assisted person who has been remanded in custody at or subsequent to the first calling of the case and that assisted person is at any time during that remand under 21 years of age. [Regulation 4(6)].

ADDITIONAL FIXED PAYMENTS

The following items of work attract further remuneration at the rates set out in the table above at page 3.

Trials
The fixed payment attaching itself to a case covers the first 30 minutes of a trial or proof in mitigation. There will be additional fixed payments as set out above for the remainder of the first day taken up in conducting the trial or proof; the second day; and third and subsequent days.

Representation in court at a diet of deferred sentence. [Paragraph 6]
This is intended to cover each diet of deferred sentence under section 202 of the Criminal Procedure (Scotland) Act 1995.

All work done in connection with a bail appeal under section 32 of the 1995 Act. [Paragraph 9]

OTHER PROVISIONS

The regulations provide

4(3) Except where proceedings have been brought under section 185 of the 1995 Act, the reference to summary proceedings in paragraph (1) above is a reference to proceedings on a single summary complaint or on complaints which arise out of the same incident.

The effect of this is that a solicitor is only entitled to one fixed payment in circumstances where, for example, the Procurator Fiscal deserts *pro loco et tempore* and serves a fresh complaint either immediately or following a delay. Regardless of whether a new application for criminal legal aid is required, the case itself only attracts one fixed payment. It would also cover the case where more than one complaint is served in relation to the same incident e.g. where one complaint deals with a number of road traffic matters and another deals with an offence for driving whilst disqualified and which has to be raised separately so as not to prejudice the court in dealing with the broader aspect of the case. This does not apply to co-accused where each solicitor is entitled to the fixed payment.

The exception relates to a new prosecution ordered by the court charging the accused with the same or similar offence arising out of the same facts. This is the only situation in which two fixed payments can be sought.

4(4) Where in such proceedings a solicitor acts for more than one assisted person, a separate fixed payment shall be made to him in respect of each such assisted person, in accordance with paragraph (5) below.

4(5) Where a solicitor represents two or more assisted persons he shall be paid in respect of the first assisted person 100% of such of the fixed payments specified in Schedule 1 as are appropriate to that assisted person, in respect of a second assisted person 40% of the appropriate fixed payments, and in respect of a third and each subsequent assisted person 20% of those payments.

These are fairly self-explanatory. There was a similar provision in the days of maximum fees where a solicitor was entitled to an additional fee in respect of representing co-accused in the same case. The reduced percentages relate to the actual work done for the second or subsequent accused and are not based on the total fixed payments due in respect of the accused for whom the 100% claim is lodged. For example, there may be a bail appeal or deferred sentence in respect of one accused but not the other.

Please note that this provision is disapplied in respect of the accused who is transferred, as can be seen from the terms of the next regulation.

4(7) Where the Board grants an application for a change of solicitor under Regulation 17(3) of the Criminal Legal Aid (Scotland) Regulations 1996 there shall be paid to each of the solicitors who act for the assisted person in the relevant proceedings an equal part of the total amount payable in respect of those proceedings by virtue of paragraph (1) above and for the purpose of calculating that total amount paragraph (5) shall not apply.

The total fixed payment in respect of all work done is divided equally between or amongst the solicitors acting for the assisted person during the duration of that case. One consequence is that a solicitor who obtains transfer of a certificate immediately before the trial will not be entitled to half the fixed payment and also the full payment in respect of the trial but will require to split the total payment for the case with the original solicitor.

4(8) Where the work done by a solicitor constitutes a supply of services in respect of which value added tax is chargeable, there may be added to the amount of payments allowed to the solicitor an amount equal to the amount of value added tax chargeable.

EXCLUDED PROCEEDINGS

(still subject to time and line feeing)

(a) summary proceedings arising following a reduction from solemn proceedings

(b) proceedings in relation to which legal aid is only available by virtue of section 22(1)(a) of the Act (identification parades held by or on behalf of the prosecutor in contemplation of criminal proceedings)

(c) proceedings in relation to which legal aid is only available by virtue of section 22(1)(c) of the Act (assisted person in custody or liberated by police on undertaking to appear)

(d) proceedings in relation to which legal aid is only available by virtue of section 22(1)(da) of the Act (plea of insanity in bar of trial)

(e) proceedings in relation to which legal aid is only available by virtue of section 22(1)(db) of the Act (examination of facts)

(f) proceedings in relation to which legal aid is made available by virtue of regulation 15 of the Criminal Legal Aid (Scotland) Regulations 1996 (matters of special urgency)

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Excluded proceedings continued

(g) any reference in connection with proceedings under article 177 of the EEC Treaty.

INTERACTION OF FIXED PAYMENTS AND THE FEES REGULATIONS

The regulations disapply the Criminal Legal Aid (Scotland) (Fees) Regulations 1989 only insofar as conflicting provision is made by the Fixed Payments Regulations. Accordingly, the provisions, for example, relating to outlays only being incurred due regard being had to economy (including the provisions whereby travelling expenses cannot be incurred in travelling to a court in a town or place where the solicitor has a place of business); fees allowable to counsel and the general provisions for taxation of fees and outlays all remain intact.

SUBMISSION OF ACCOUNTS

Regulation 5 requires submission of a single account including fixed payments and outlays.

ACCOUNT SYNOPSIS FORMS

Enclosed with this edition of The Recorder is an example of the new two part account synopsis form which will be issued for all cases which attract a fixed payment. Part A is the claim for payment and Part B is the report on proceedings.

Both parts must be completed in every case for which payment is being claimed.

The form, along with supporting documentation, contains all the information the Board needs to process a claim for payment. No covering letter or separate account is necessary. The only additional papers which need be supplied are the legal aid certificate, any vouchers/receipts etc. and letters of authorisation to support a claim for outlays. Payments can be processed more speedily where the forms are completed legibly, observing the boxes within which all information is to be entered by solicitors. The following notes for guidance give step by step instructions for completing the form.

Part A – Claim for Payment

Much of the information on the front of this part of the form will be pre-entered by the Board, based on information supplied with the application for legal aid. This includes solicitor name, firm name, legal aid reference number, accused's name, practitioner code, firm code, the solicitor's own reference, court type and court location.

The solicitor should indicate the account type (final or transfer). The Board can only entertain claims for outlays incurred by any out-going solicitor where a transfer has taken place. This is because the fees payable to each solicitor depend on the total amount payable for the case and the total number of solicitors involved: this cannot be known until the case has concluded. Each outgoing solicitor should submit an account synopsis, whether or not any claim for outlays is actually being made, indicating on the form that the case has been transferred (account type T). When the final (Z) account is submitted, on conclusion of the case, an equal share of the total fixed payments in relation to the case will be made to all solicitors who acted.

The solicitor should provide details of any co-accused for whom he is acting in the case. Where a solicitor represents more than one accused, he is entitled to full payment in relation to one accused only. Clearly, if the cases against the various accused conclude at different stages, different amounts will be payable in respect of each. Solicitors will want to claim full payment

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for the accused whose case attracts the highest level of fees. This should be indicated by entering 100 in the "% of payment" box alongside the details of the accused in question. The solicitor can then claim 40% of the fees appropriate to the second accused and 20% of the fees appropriate to each subsequent accused. If a solicitor represents more than four co-accused, details should be given on a separate sheet. Claims for all co-accused in relation to whom a solicitor is seeking payment must be submitted together: no payment can be made until appropriately apportioned claims for each accused are received by the Board.

The solicitor should enter the account point ID appropriate to the case and the value of the claim including solicitor's fees (excluding VAT) and outlays only. Where the solicitor has provided advice and assistance in relation to the case, the reference and, where appropriate, amount paid should be entered in the spaces provided. Where counsel's (including rights of audience solicitor's) fees are being claimed, details should be given in the appropriate boxes.

The solicitor should indicate on the second side of Part A the individual payments he is claiming in relation to the case. The rates of payment appropriate to the court in which the proceedings are heard will be entered on the form. This will be based on the information supplied with the application. If, for some reason, the rates and court type shown are not appropriate to the case, the solicitor should place a cross in the box at the top right of the page. The Board will then calculate the appropriate fee levels.

A. Core payment

The solicitor should place a cross in the box alongside each element of payment he is claiming. In most cases, the solicitor will be entitled to the main core payment (i). Where the case is being heard in one of the sheriff courts listed in Schedule 2 of the Criminal Legal Aid (Fixed Payments) (Scotland) Regulations 1999, the solicitor should place a cross in the appropriate box to claim the addition to the core payment. Similarly, where the client is remanded in custody at or after the first calling of the case and is under the age of 21 at any time during that remand, a further enhancement to the core payment is applicable and should be claimed accordingly.

Where legal aid is granted by the court in the circumstances to which section 23(1)(b) of the Act applies (court considering a first custodial sentence), an alternative payment is available. Unless there is a proof in mitigation which lasts longer than 30 minutes following such a grant, the core payment at (ii) will be the only fee to which the solicitor is entitled. Where there is a proof in mitigation which lasts longer than 30 minutes, the extra payments at B(i), (ii) and (iii) become payable as appropriate. The enhanced payments for Schedule 2 courts and clients under 21 on remand do not apply in these circumstances.

The payments shown at A(iii) and (iv) are both payable where the Board grants an application for legal aid following the provision of automatic criminal legal by the solicitor in the circumstances set out in section 22(1)(d) (accused in custody having tendered a plea of not guilty and applied for legal aid) and section 24(7) (trial of unrepresented accused adjourned to allow an application for criminal legal aid to be made). The enhanced payments for Schedule 2 courts and clients under 21 on remand will also apply in these circumstances.

The solicitor should indicate the total core payment being claimed in the box at the bottom of section A.

B. Conduct of trial/proof in mitigation

Where the solicitor conducts a trial or proof in mitigation which lasts longer than thirty minutes on the first day, or extends into a second, third or more days, extra payments become available. The solicitor should place a cross in the box at (i) and/or (ii) and the number of extra days at (iii) (please enter a number rather than a word i.e. 1, 2 etc. rather than one, two etc.). Where extra payments are being claimed for trial or proof in mitigation, the solicitor should also complete the box alongside, detailing the name and practitioner code for the solicitor attending the diet in relation to which payment is claimed, the date of the diet, the start and finish times of the trial/proof itself (**not** the waiting time) and the time engaged in conducting the trial/proof.

C. Bail appeal / D. Deferred sentence

A separate payment is available for all work in connection with a bail appeal. To claim this payment, a cross should be marked in the appropriate box. Details of the solicitor attending and the date of the bail appeal hearing should be entered alongside. A fixed payment is allowable in respect of each diet of deferred sentence. The number of diets in relation to which payment is being claimed should be entered in the box and the date and details of the solicitor attending each diet should be entered alongside.

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The solicitor should calculate the total fixed payment claimed and enter this figure in the box provided.

E. Outlays

Details of all outlays claimed should be entered in the spaces provided. We have categorised outlays into the four main types likely to arise in summary criminal cases. It should be borne in mind that no claims may be made in relation to the items set out in regulation 4(2) (all outlays in connection with precognitions, the undertaking by another solicitor of any part of the work and photocopying).

The date incurred, justification, sanction date and value of all outlays claimed should be entered in the spaces provided. If the outlay to be claimed fits within one of the categories given, a cross should be placed in the relevant column alongside the appropriate details. If the outlay does not fit within one of the categories, a description should be given in the narrative box instead.

Supporting narrative must be given for all outlays.

The total mileage claimed (in miles) should be entered in the box provided.

The total value of all outlays claimed and the total payment claimed should be entered in the boxes at the bottom right of the outlays section. The solicitor should sign and date the certificate and, having completed Part B, submit the form with all supporting documentation.

Part B – Report on proceedings

The report on proceedings which is required by the Board under regulation 16 of the Criminal Legal Aid (Scotland) Regulations 1996, has been removed from Part A. The information previously supplied on Part A will now be derived from Part B. Part B is also required by the Board to assist in monitoring compliance with the Code of Practice. The Board is aware that some solicitors are at present failing to submit or complete the present Part B. However, this form is **not** optional and must be submitted with every claim for a fixed payment. If the form is not completed, the Board will be unable to process the claim and it will be returned to the solicitor.

The form, revised in consultation with the Law Society of Scotland and taking into account comments received from solicitors since it was first introduced in October 1998, may look daunting, but it is designed for completion with the minimum of effort. Most questions can be answered by way of a cross or a number in a box. All yes/no/don't know questions and those asking for a choice of one option from a list should be answered by placing a cross in the box alongside the appropriate answer.

The details in the box at the top of the form will be entered by the Board. Solicitors should enter any other names by which the applicant is known (so that the Board can identify related advice and assistance or appeal applications where the applicant's unique identifier has not been used and a different name has been entered on the Board's computer system). The contact telephone number is required to assist the Board in conducting client satisfaction surveys, as provided for by the Code of Practice.

If the client has previously been served with another complaint in respect of the same matter (for example, if a complaint has been deserted *pro loco et tempore* and then revived) please mark the appropriate box with a cross and enter the PF number of the original complaint, whether it was the same or different to that in the current case.

For the questions on meetings outwith the office or court and the stage of agreement of evidence, please enter a number in all appropriate boxes (enter a digit rather than text). If no meetings took place outwith the office or the court, or no evidence was agreed, leave the answers blank. Similarly, you do not have to enter a "0" if no meetings took place at any particular location, or no evidence was agreed at a particular stage.

Please answer the question on previous convictions based on the information available to you. We appreciate that sometimes you will only be given a record of previous analogous convictions: that is perfectly sufficient.

The pro forma which we have prepared for charge result should make this part of the form relatively straightforward to complete. In the majority of cases, which have one charge, only the box on the front page of the form need be completed. Similarly, in the great majority of cases the charge will be on the list given, in which case the solicitor need only enter a cross (and a number in relation to statutory charges). A full list of abbreviations for charge, plea, result, stage and sentence is included on page 11. Where the particular charge is not on the list, the solicitor should cross the "Other" box and specify the charge in the box provided. If a particular charge incorporates a bail aggravation, please place a cross in the box provided.

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A new line should be completed for each charge where there is more than one. However, where there are multiple counts of the same charge and all other details are identical (plea, result, stage of conclusion, stage at which change of plea offered, sentence) only one row need be completed. In such a case, the solicitor should enter the number of counts of the charge in question in the box at the top of the row ("No. of counts of this charge").

A cross should be placed in the appropriate box in each of the next three columns in every case. Where the result of the case is a mixed plea (guilty to some charges and not others, or guilty to an amended charge) or a straightforward change of plea to guilty, please indicate in the next column when that plea was first offered to the fiscal.

Where the accused is convicted, please indicate the date on which sentence was passed on each charge. Alternatively, where there is a long deferred sentence (six months or more) you may indicate that this is the case and submit the form prior to sentence being passed.

Where sentence has been passed, please indicate on the form the sentence attached to each charge. Where a separate sentence is given in relation to a bail aggravation on a particular charge (which should have been indicated in the "Charge" column), please combine this with that given for the charge itself e.g. if a sentence of 30 days is given for assault, plus another 30 for breach of bail, the total sentence on that charge should be given as 60 days.

Where there is a custodial sentence, please indicate the number of days or months and whether this sentence is to run concurrently, either with other sentences passed in relation to the present case or with another sentence already being served, or consecutively, again either within the case or to an existing sentence. If a custodial sentence is back-dated, please indicate the date to which the sentence is back-dated. Using the date of sentence and the date of back-dating, we will then be able to work out the actual sentence to be served in relation to this case.

Where there is a non-custodial sentence, please provide details in the appropriate boxes. Only complete the boxes which apply to the case: there is no need to cross out any which do not apply. Finally, if the accused is admonished, please place a cross in the box provided.

A new line should be completed for each charge (except as described above). If there are more than five unique charges in the case, please continue on a photocopy of the back of the form. This contains a bar code which will identify the case should the papers become separated for any reason.

If you have any queries about the completion of this form, please contact Colin Lancaster in the Board's Policy Unit on ext.300.

ABBREVIATION CODES FOR ACCOUNT SYNOPSIS FORMS

CHARGES

BOP	Breach of the Peace
Theft (MV)	Theft (Motor Vehicle)
Theft (HB)	Theft (House Breaking)
OLP	Opening Lock Fast Place
RTA	Road Traffic Act
P(S)A	Police (Scotland) Act
MDA	Misuse of Drugs Act
CP (S) A	Criminal Procedure (Scotland) Act
CG(S)	A Civic Government (Scotland) Act
CJ(S)	A Criminal Justice (Scotland) Act

INITIAL PLEA

NG	Not Guilty
G	Guilty
GUD	Guilty under deletion of part of the charge
GLC	Guilty to a lesser charge

FINAL RESULT

PG	Pled Guilty
PGUD	Pled Guilty under deletion of part of the charge
PGLC	Pled Guilty to a lesser charge
NGA	Not guilty plea accepted
FG	Found Guilty
FGUD	Found Guilty under deletion of part of the charge
FNG	Found Not Guilty/Not Proven, or acquitted after submission of no case to answer
CD	Charge deserted/not called
NA	Non-appearance

POINT OF DETERMINATION/FIRST OFFERED

PD	Pleading diet
BID	Before Intermediate diet (between pleading diet and intermediate diet)
ID	Intermediate diet
CUST	Custody Diet
PBT	Plea before trial (i.e. after intermediate diet but before trial diet)
BST	Before start of trial (at trial diet but before evidence led)
AST	After start of trial (at trial diet but after evidence starts to be led)

PLACE
LOGO

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The Scottish Legal Aid Board
44 Drumsheugh Gardens
Edinburgh EH3 7SW
DX ED250
Telephone: 0131 226 7061
e-mail: www.slab.org.uk
Editor: Fiona Shaw
e-mail: shawfi@slab.org.uk