CRIMINAL LEGAL ASSISTANCE TRANSFER ACCOUNT SYNOPSIS

Use this form for transfer accounts in criminal/ABWOR matters only

TRANSFER ACCOUNT

CRIM/ACCTS/TRAN

All questions must be completed for your form to be processed.

Name and address of firm submitting account:

Section A – Registration details **In all cases complete Sections A to O**

Criminal legal aid/ABWOR			
Criminal/ABWOR summary proceedings ☐	Solemn reduced to summary ☐	Exceptional case ☐	Excluded proceedings ☐
Type of claim Final account ☐ Second or subsequent transfer ☐			

Section B – Solicitor and firm details

Solicitor's code number		Firm's code number		Branch code	
Your internal reference					

Section C – Client and co-accused details

If you acted for more than one legally-aided accused in this case, give details below. If fixed payment, include the percentage of the appropriate fixed payment being claimed in relation to each. Send us a separate account synopsis for each accused and send all claims together (continue on a separate sheet if necessary).

Client's criminal legal assistance reference number	**Client's name**	**% of payment**
Co-accused(s) criminal legal assistance reference number(s)	**Co-accused name(s)**	

Subject matter					
Effective date of legal aid		Court type		Court location	
Client's personal identifier		Client's date of birth			
Client's address					

PF reference number		Police reference number	

The Procurator Fiscal's reference number or police reference number **must** be completed where complaint has been served or direct measure issued.

Section D – Details of account

Advocates' and solicitor advocates' fees

Counsel's fee notes must be attached to enable payment to be considered. Fees for solicitor advocates will only be considered for related proceedings in the High Court eg bail appeal and devolution minutes.

Total number of fee notes attached	**Advocate**		**Solicitor advocate**	

Solicitor's account - Breakdown

TO BE COMPLETED BY SOLICITOR		**FOR BOARD USE ONLY**		
Amounts claimed		Amounts paid	With VAT	No VAT
Fees (excl. VAT)		Fees		
Court dues (if applicable)		Court dues (if applicable)		
Travel (excl. VAT)		Travel		
Expert outlays (incl. VAT)		Expert outlays		
Other outlays (incl. VAT)		Other outlays		
Counsel (incl. VAT)		Counsel		
TOTAL		TOTAL		

Payment authorised ..... Date ..... (Board use only)

Section E – Questions regarding the complaint in this case

Has the applicant at any time been served with any other complaint arising from the same incident, or have any of the charges in the complaint in this case ever formed part of any other complaint(s), whether deserted and re-raised or subsequently raised?	Yes ☐	No ☐

If Yes, and legal aid has been granted or an application is pending, or ABWOR has been provided, please provide details including the Procurator Fiscal's reference number and criminal legal assistance reference number(s).	PF Number Criminal legal assistance reference number(s)

Have you lodged or do you intend to lodge an account in connection with the other complaint(s)	Yes ☐	No ☐
Have you given advice or provided representation in connection with proceedings under Section 27(1)(a) or 28 of the 1995 Act arising from a failure to appear or breach in relation to this case?	Yes ☐	No ☐
If Yes, provide details of the criminal legal assistance reference number(s) of the advice and assistance, ABWOR and/or criminal case(s).		

Please tick to indicate in which court the proceedings were **set down*** to proceed (Glasgow only).	Stipendiary ☐	JP Court ☐
*The fee depends on the court in which the case was set down to proceed. The fees appropriate to that court type should be claimed regardless of the court in which the case is initially called or in which final disposal took place.		

Section F – Fixed Payment (claim under one of the 6 sub-sections only)

Case disposal fee	☐	**Go to part A**	ABWOR fixed payment	☐	**Go to part B**
Core fixed payment	☐	**Go to part C**	27(1)(b) fixed payment	☐	**Go to part D**
23(1)(b) fixed payment	☐	**Go to part E**	Drug court initial payment	☐	**Go to part F**

		Claim if certificate not transferred. Fee will be adjusted if a transfer has been authorised.	
		JP Court	Stipendiary/Sheriff
A - CASE DISPOSAL FEE (includes 2 deferred sentences)			
1	Case disposal fee for case not proceeding beyond first 30 minutes of trial to be apportioned according to how many transfers. Lower fees apply for cases where the complaint is issued on or after 22 March 2011	N/A	£515 ☐ £390 Stip ☐ £485 Sheriff ☐
2	Case disposal fee where complaint under section 27(1)(b)	N/A	£257.50 ☐
B – ABWOR FIXED PAYMENT (includes 2 deferred sentences)			
1	ABWOR fixed payment (JP Court)	£150 ☐	N/A
C - CORE FIXED PAYMENT (includes 2 deferred sentences)			
1	Core fixed payment	£315 ☐ £295 ☐	£515 ☐ £390 Stip ☐ £485 Sheriff ☐
2	Core fixed payment where work done under sections 22(1)(d) or 24(7)	£290 ☐	£490 ☐
3	All work done under sections 22(1)(d) or 24(7)	£25 ☐	£25 ☐
4	Proceedings in rural court (Schedule 2)	N/A	£50 ☐
5	Client under 21 and remanded in custody (at or subsequent to the first calling of the case).	£100 ☐	£100 ☐

D - 27(1)(B) FIXED PAYMENT (includes 2 deferred sentences)			
1	Core fixed payment where complaint under section 27(1)(b)	£157.50 ☐	£257.50 ☐
E - 23(1)(B) FIXED PAYMENT			
1	All work done in connection with a complaint under section 23(1)(b) of the Act	£25 ☐	£50 ☐
	Please advise date of appearance at first diet		
F - DRUG COURT INITIAL PAYMENT*			
1	All work done under section 22 (1)(c) of the Act up to and including the first appearance of the assisted person before a court designated as a drug court	N/A	£100 ☐
2	Client under 21 and remanded in custody at or subsequent to the first calling of the case	N/A	£100 ☐

* In a drug court case ➔ **Go to Section J**

Section G – Further fixed payments

Was this case conjoined with another case(s) in proceeding to trial?									Yes ☐		No ☐	
If Yes, provide details of the criminal legal assistance reference number(s) of the other case(s).												

* Chargeable under Criminal legal aid *and* ABWOR	**Date(s)**	**Solicitor Attending**	**Solicitor's Code**	**Start/ Finish**	**Time Engaged**	**No of days**	**Claim (£) JP Court**	**Claim (£) Stip/ Sheriff**
Conducting a trial or proof in mitigation for the first day (after the first 30 minutes) *				to			50 ☐	100 ☐
Second day				to			50 ☐	200 ☐
Third and subsequent days (JP- £100 per day, STIP/SH £400 per day)				to				
Adjourned trial diet where evidence expected to be led (JP - £50 per day, STIP/SH £100 per day)				to				
Adjourned trial diet where no evidence expected to be led (notional diet)(JP - £25 per day, STIP/SH £50 per day)				to				
Representation in court at a continued diet following a victim statement having been laid *				to			N/A	50 ☐
Conducting a proof of a victim statement where there has been no trial or proof in mitigation for the first day (after the first 30 minutes), and thereafter per day (STIP/SH £200 per day)*				to			N/A	
Conducting a proof of a victim statement at a continued diet following a concluded trial or proof in mitigation (STIP/SH £200 per day)*				to			N/A	
Fees for work chargeable only under ABWOR								
Special reasons proof/hearing on exceptional hardship				to			150 ☐	150 ☐
Back duty proof +				to			50 ☐	50 ☐
TOTAL								

+ This fee is not chargeable in addition to the fee for a special reasons proof/hearing on exceptional hardship.

Section H - Bail appeal under sections 32/201(4) or application for bail subject to a movement restriction order under section 24A of the Criminal Procedure (Scotland) Act 1995.

Date	**Bail appeal under section 32 / 201(4)**	**Application for bail under section 24A**	**If more than one bail appeal in connection with this case on the same day, please explain why.**
	£50 ☐	£50 ☐	
	£50 ☐	£50 ☐	
	£50 ☐	£50 ☐	
Subtotal			
Total			

All work in connection with a bail appeal is included within the case disposal fee.

Section I – Deferred sentence (excluding warrant hearings which are included within the core payments)

Date	**Deferred sentence - £50/£75* (STIP/SH) each, £25/£37.50* (JP) each for third and subsequent hearing**	**If more than one deferred sentence in connection with this case on the same day, please explain why.** ***Higher fee applies where the hearing relates to more than one complaint. This applies to complaints issued on or after the**	**Supplementary fee (£25 chargeable only once where social enquiry report dealt with which results in disposal)**
	No fee		
	No fee		
Total			
Date of next deferred sentence if case not concluded (sentence must be deferred for more than 3 months before we can consider payment of your claim).			

Section J – Drug court (Glasgow, Kirkcaldy and Dunfermline) - further appearances

Date of appearance	Claim rate - £50 each	If more than one complaint is being dealt with, then please provide details of all legal assistance reference numbers.
Total		

The fee covers all work in connection with *an appearance* on behalf of the assisted person.

Section K - OUTLAYS (all outlays must be accompanied by vouchers and/or sanction authorisation where appropriate)

Travel incl. solicitor's hotel bills etc	Date incurred	Mileage	Destination	Value (excl. VAT)
			Total travel expenses	

All travel should be apportioned in accordance with Board guidance. Please detail all clients seen (including private clients), dates and locations. Use a separate sheet if necessary.

Name of expert	Date incurred	Type of expert	Value (incl. VAT)
		Total expert's fees	

Other outlays – name of person or firm	Date incurred	Description eg type of report, witness expenses etc	Value (incl. VAT)
		Total other outlays	

Section L – Proceeds of crime

1	Did the applicant keep any property claimed by the Crown, or was the applicant successful in obtaining the return of any property, including any rights under a settlement?	Yes ☐	No ☐
	If no ➔ **Go to Section R** If Yes, what was the basis of the claim, and what is the nature and value of the property (including money)?		

		Total £	
2	What was the outcome of the confiscation order or similar procedures under the 1995 and 2002 Acts?		
3	Is there still the possibility of either expenses being recovered or further recovery or preservation of property?	Yes ☐	No ☐
	If Yes, please provide details.		
4	Is the property, or any part of it, subject to an exemption by virtue of regulation 16(2)?	Yes ☐	No ☐
	If Yes, which exemption applies?		

Section M –Report on Proceedings

This information is required by the Board for use in monitoring compliance by firms and solicitors with the Code of Practice in relation to criminal legal assistance (Legal Aid (Scotland) Act 1986, sections 25C and 35A). It will also be of use in monitoring the effect of the summary justice and legal aid reforms and help inform reviews.

Were any diets adjourned due to incomplete, or lack of disclosure of Crown evidence?	Yes ☐	No ☐
Did the applicant appear from custody?	Yes ☐	No ☐
Were any witnesses sworn?	Yes ☐	No ☐
Was any evidence led at trial?	Yes ☐	No ☐
Was a warrant issued? (Complete only if submitting account before case concluded)	Yes ☐	Date
Sentence/disposal e.g. fine, community service or prison sentence		
Date of conclusion of proceedings	Date	

Please indicate, by a tick in the appropriate box (or boxes), one tick for each charge, the way in which each charge concluded, with the result indicated (by the row) and at the stage shown (by the column). To assist, multiple counts of the same charge, each of which concluded *at the same stage with the same result* can be indicated with a single tick in the appropriate box. We do not need to know the number or nature of the charges. This information will allow us to identify not only the date and nature of the disposal, but also circumstances where there are different stages of disposal within the case.

Charge Outcome Summary		**Stage charge concluded at:**				
		Pleading Diet	Appearance after Warrant	Intermediate Diet	Before start of trial	After start of trial
Final charge result:	Not Guilty Plea Accepted					
	Plead Guilty					
	Plead Guilty Under Deletion					
	Plead Guilty Lesser Charge					
	Found Guilty					
	Found Guilty Under Deletion					
	Found Guilty Lesser Charge					
	Found Not Proven					
	Found Not Guilty					
	Charge Deserted					
	Non Appearance					

Section N – SOLICITOR'S DECLARATION (MUST BE COMPLETED BY THE SOLICITOR BEFORE A CLAIM CAN BE CONSIDERED)

I certify that:

- to the best of my knowledge and belief the items charged in this claim are accurate and represent a true and complete record of all work done
- all work was carried out in accordance with the Code of Practice in relation to criminal legal assistance
- all work carried out was by the solicitor unless otherwise stated in the account and that the person carrying out the work was not engaged in any other business at the time and place except as apportioned therein
- I have retained a copy of this claim
- I consent to the disclosure of this claim, associated documentation and client case file for quality assurance purposes, including peer review, at any stage during or after the proceedings
- apart from the circumstances where the cost of an exceptional police station visit is chargeable, I have not lodged any other claim in connection with this matter
- the extent of advice or representation provided to the client by me or, to the best of my knowledge, by another solicitor in connection with this matter is as follows (please provide the reference number(s) where appropriate)
- I hereby irrevocably authorise and instruct the Scottish Legal Aid Board to deduct from any future sums due to me any sums overpaid in connection with a grant of advice and assistance/ABWOR/legal aid and, in particular, as a result of the Board approving any change of solicitor

DATE ..... Solicitor: .....