



## 7. Analysis of payments

### Section notes

1. Unless otherwise stated, the 2012-2013 figures for accounts paid include VAT and were prepared on a cash basis.
2. In tables showing accounts paid, unless otherwise stated, outlays include all payments other than fees paid to solicitors and advocates - for example, expert witnesses.
3. 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.
4. Total expenditure excludes miscellaneous payments, PDSO, CLAO and Grant funding expenditure, which are shown in table 1.5
5. In Table 7.2, 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.
6. The figures in tables 7.1 and 7.2 have been restated due to categories within Civil contempt being revised.
7. Table 7.2 now also provides a more detailed breakdown.

## 7.1 Legal assistance expenditure

Subject matter	Expenditure				Income			Total 2012-2013		2011-2012
	Advice & assistance £000	ABWOR £000	Legal aid £000	Total gross cost £000	Contributions £000	Expenses from opponents £000	Amounts awarded £000	Total income £000	Total net cost £000	Total net cost £000
<b>Civil legal assistance</b>										
Adults with incapacity	301	-	2,305	2,606	2	1	0	4	2,602	2,204
Appeals	43	-	1,073	1,116	9	113	6	127	989	825
Breach of contract	77	-	279	356	9	93	18	120	236	276
Contact/parentage	2,705	-	10,964	13,669	711	76	46	833	12,836	13,471
Debt	423	1	324	748	52	39	13	104	644	871
Discrimination	13	-	4	18	2	0	0	2	16	17
Divorce/separation	2,059	-	3,981	6,040	681	325	850	1,856	4,184	4,638
Family/matrimonial - other	661	-	2,106	2,767	140	10	44	195	2,572	3,159
Housing/recovery of heritable property	782	-	537	1,319	32	83	29	144	1,175	1,230
Immigration and asylum	3,005	1,782	497	5,284	3	125	0	127	5,156	4,939
Judicial review	331	-	670	1,001	1	435	0	436	564	567
Medical negligence	599	-	2,414	3,013	5	2,020	1	2,026	987	1,012
Mental health	178	2,767	-	2,945	0	0	0	0	2,945	3,210
Property/monetary	39	-	959	998	111	30	100	241	756	744
Protective order	521	-	998	1,519	72	6	5	83	1,436	1,451
Reparation	932	-	5,405	6,337	23	4,989	58	5,070	1,267	1,731
Residence	618	-	4,443	5,061	246	1	8	255	4,807	4,743
Other	2,735	327	1,923	4,985	116	194	48	359	4,627	6,153
<b>Total civil legal assistance</b>	<b>16,022</b>	<b>4,877</b>	<b>38,882</b>	<b>59,781</b>	<b>2,215</b>	<b>8,541</b>	<b>1,225</b>	<b>11,980</b>	<b>47,801</b>	<b>51,240</b>
<b>Criminal legal assistance</b>										
Appeals	33	-	3,167	3,200	1	-	-	1	3,199	4,195
Assault	139	1,390	19,917	21,446	1	-	-	1	21,445	23,314
Bail, including breach of bail	13	1,137	707	1,857	0	-	-	0	1,857	1,982
Court grants for legal aid	-	-	220	220	0	-	-	0	220	116
Drugs	85	1,070	9,134	10,289	0	-	-	0	10,289	11,553
Duty	-	-	897	897	0	-	-	0	897	1,120
Embezzlement/fraud	41	268	3,926	4,235	0	-	-	0	4,235	1,842
Extradition	2	-	140	141	0	-	-	0	141	172
Murder/attempted murder/culpable homicide	42	-	8,658	8,700	0	-	-	0	8,700	7,612
Offensive weapons/vandalism/breach of the peace	100	3,006	8,180	11,286	0	-	-	0	11,286	11,361
Road traffic offences	124	1,244	2,792	4,159	1	-	-	1	4,159	4,995
Sexual offences	115	96	5,802	6,013	0	-	-	0	6,013	4,741
Theft/housebreaking/robbery	97	3,820	6,711	10,628	0	-	-	0	10,628	11,741
Other	320	3,797	5,249	9,366	1	-	-	1	9,366	11,645
<b>Total criminal legal assistance</b>	<b>1,111</b>	<b>15,827</b>	<b>75,500</b>	<b>92,437</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>3</b>	<b>92,434</b>	<b>96,388</b>
<b>Children's legal assistance</b>	<b>503</b>	<b>-</b>	<b>4,913</b>	<b>5,417</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,417</b>	<b>4,910</b>
<b>Contempt legal assistance</b>	<b>13</b>	<b>-</b>	<b>246</b>	<b>260</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>260</b>	<b>247</b>
<b>Total legal assistance expenditure 2012-2013</b>	<b>17,649</b>	<b>20,704</b>	<b>119,541</b>	<b>157,895</b>	<b>2,218</b>	<b>8,541</b>	<b>1,225</b>	<b>11,984</b>	<b>145,911</b>	<b>-</b>
<b>Total legal assistance expenditure 2011-2012</b>	<b>18,511</b>	<b>21,453</b>	<b>128,058</b>	<b>168,023</b>	<b>2,139</b>	<b>11,729</b>	<b>1,370</b>	<b>15,238</b>	<b>-</b>	<b>152,785</b>

## 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 2012-2013		2011-2012
		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
<b>Civil legal assistance</b>											
Civil advice and assistance	64,910	13,485	-	-	13,485	11,314	2,537	2,537	16,022	13,851	17,052
Civil ABWOR	4,824	3,558	-	-	3,558	3,002	1,319	1,319	4,877	4,320	3,831
Civil legal aid	13,820	22,788	6,229	7	29,025	24,595	9,857	9,835	38,882	34,430	45,589
<b>Total civil legal assistance</b>	<b>83,554</b>	<b>39,831</b>	<b>6,229</b>	<b>7</b>	<b>46,068</b>	<b>38,911</b>	<b>13,713</b>	<b>13,690</b>	<b>59,781</b>	<b>52,601</b>	<b>66,471</b>
<b>Criminal legal assistance</b>											
Criminal advice and assistance	16,495	1,047	-	-	1,047	871	63	63	1,111	934	1,031
Criminal ABWOR - fixed	24,258	12,783	-	-	12,783	10,662	112	112	12,895	10,774	14,323
Criminal ABWOR - time and line	8,918	2,708	-	-	2,708	2,261	223	225	2,932	2,486	3,298
Criminal summary - fixed	46,967	26,589	40	28	26,657	22,290	1,225	1,182	27,881	23,472	31,510
Criminal summary - time and line	1,388	1,320	131	11	1,462	1,222	200	191	1,662	1,413	1,669
Total solemn criminal legal aid	11,109	24,120	10,059	3,907	38,086	31,792	3,586	3,389	41,672	35,182	39,164
Total court grants	1,038	197	9	0	206	173	13	13	220	186	116
Total appeals	1,571	1,102	1,170	531	2,803	2,343	365	326	3,167	2,669	4,162
Duty (non-PDSO appearances)	-	875	1	0	876	736	21	18	897	754	1,120
<b>Total criminal legal assistance</b>	<b>111,744</b>	<b>70,741</b>	<b>11,410</b>	<b>4,477</b>	<b>86,628</b>	<b>72,350</b>	<b>5,809</b>	<b>5,519</b>	<b>92,437</b>	<b>77,869</b>	<b>96,394</b>
<b>Children's legal assistance</b>											
Children's advice and assistance	3,837	494	-	-	494	411	10	10	503	421	413
Children's legal aid	4,419	3,849	676	0	4,524	3,775	389	375	4,913	4,151	4,497
<b>Total children's legal assistance</b>	<b>8,256</b>	<b>4,342</b>	<b>676</b>	<b>0</b>	<b>5,018</b>	<b>4,187</b>	<b>399</b>	<b>385</b>	<b>5,417</b>	<b>4,572</b>	<b>4,910</b>
<b>Contempt of court legal assistance</b>											
Contempt advice and assistance	105	12	-	-	12	10	1	1	13	11	13
Contempt of court legal aid	913	219	15	7	242	202	5	4	246	207	235
<b>Total contempt legal assistance</b>	<b>1,018</b>	<b>232</b>	<b>15</b>	<b>7</b>	<b>254</b>	<b>213</b>	<b>6</b>	<b>5</b>	<b>260</b>	<b>218</b>	<b>248</b>
<b>Total 2012-2013</b>	<b>204,572</b>	<b>115,146</b>	<b>18,330</b>	<b>4,491</b>	<b>137,968</b>	<b>115,661</b>	<b>19,927</b>	<b>19,599</b>	<b>157,895</b>	<b>135,260</b>	<b>-</b>
Total 2011-2012	215,912	122,926	21,603	3,901	148,431	124,764	19,591	19,258	-	144,022	168,023