



STATUTORY INSTRUMENTS.

S.I. No. 702 of 2023

CRIMINAL JUSTICE (LEGAL AID) (AMENDMENT) REGULATIONS
2023

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2023

I, HELEN MCENTEE, Minister for Justice, in exercise of the powers conferred on me by section 10(1)(b) of the Criminal Justice (Legal Aid) Act 1962 (No. 12 of 1962) (as adapted by the Justice and Equality (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 452 of 2020)), with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, hereby make the following regulations:

1. (1) These Regulations may be cited as the Criminal Justice (Legal Aid) (Amendment) Regulations 2023.

(2) The Criminal Justice (Legal Aid) Regulations 1965 to 2011, the Criminal Justice (Legal Aid) (Amendment) Regulations 2018 (S.I. No. 579 of 2018) and these Regulations may be cited together as the Criminal Justice (Legal Aid) Regulations 1965 to 2023.

(3) These Regulations shall come into operation on 1 January 2024.

2. (1) The scales of payment of fees payable to a solicitor assigned, pursuant to a legal aid certificate, to a person charged before the District Court or to an appellant in the Circuit Court shall, from 1 January 2024, be those specified in Part 1 of Schedule 1.

(2) The rate of payment of fee payable to a solicitor assigned, pursuant to a legal aid certificate, to a person before the Circuit Court or Special Criminal Court in relation to an application to be admitted to bail that is contested by the prosecution shall, from 1 January 2024, be that specified in Part 2 of Schedule 1.

(3) The rate of payment of fee payable to a solicitor assigned, pursuant to a legal aid certificate, to a person in respect of any visit to the person in prison that is essential to the preparation and conduct of the person's defence, appeal or case stated, as the case may be, shall, from 1 January 2024, be that specified in Part 3 of Schedule 1.

3. (1) The rate of payment of fee payable to counsel assigned, pursuant to a legal aid certificate, to a person before the Circuit Court or Special Criminal Court in relation to an application to be admitted to bail that is contested by the prosecution, shall, from 1 January 2024, be that specified in Part 1 of Schedule 2.

(2) The rate of payment of fee payable to counsel assigned, pursuant to a legal aid certificate, to a person in respect of any visit to the person in prison that is essential to the preparation and conduct of the person's defence, appeal or case stated, as the case may be, shall, from 1 January 2024, be that specified in Part 2 of Schedule 2.

4. Regulations 3 and 4 of, and Schedules 1 and 2 to, the Criminal Justice (Legal Aid) (Amendment) Regulations 2011 (S.I. No. 362 of 2011) are revoked.

SCHEDULE 1
SOLICITORS' FEES

Part 1

District Court and Appeals to Circuit Court

Defendant/Appellant (1)	First day of hearing (2)	Subsequent days of hearing (3)
Fee in respect of defendant/appellant where only one defendant/appellant represented and in respect of first defendant/appellant where solicitor assigned in respect of more than one defendant/appellant.	€221.65 in relation to first 2 cases.	€132.97 in relation to each subsequent case.
Fee in respect of second defendant/appellant where solicitor assigned in respect of more than one defendant/appellant.	€132.97 in relation to first 2 cases.	€79.42 in relation to each subsequent case.
Fee in respect of each defendant/appellant (other than the first and second defendants/appellants) where solicitor assigned in respect of more than two defendants/appellants.	€88.70 in relation to first 2 cases.	€55.43 in relation to each subsequent case.

Part 2
Bail applications

Fee in respect of each contested bail application to Circuit Court or Special Criminal Court:

€100.67

Part 3
Essential Visits

Fee in respect of each essential visit to prison:

€106.94

SCHEDULE 2
COUNSEL'S FEES

Part 1
Bail Applications

Fee in respect of each contested bail application to Circuit Court or Special Criminal Court:

€100.67

Part 2
Essential Visits

Fee in respect of each essential visit to prison:

€106.94

The Minister for Public Expenditure, National Development Plan Delivery and Reform consents to the making of the foregoing Regulations.



GIVEN under the Official Seal of the Minister for Public Expenditure, National Development Plan Delivery and Reform,

20 December, 2023.

PASCHAL DONOHOE,

Minister for Public Expenditure, National Development Plan Delivery and Reform.



GIVEN under my Official Seal,

20 December, 2023.

HELEN MCENTEE,

Minister for Justice.

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