

## Motoring Offences – Fees Guide

At Advice Wise Solicitors, we offer services to those who have been charged with motoring offences.

Unfortunately, legal aid MAY not be available for the majority of these offences. This can include, but is not limited, to the following offences:

1. Driving without a valid insurance policy;
2. Driving without a driving licence;
3. Driving without an MOT;
4. Drink driving;
5. Drug driving;
6. Failure to supply a specimen;
7. Driving whilst using a mobile phone or handheld device;
8. Speeding;
9. Traffic light offences;
10. Careless driving (driving without due care and attention);
11. Failing to provide information to identify the driver of a vehicle;
12. Failing to stop or report;
13. Fixed Penalty Notices;
14. Using a vehicle in a dangerous condition.

Advice Wise Solicitors are able to offer representation if you have been charged with any of the above offences or any other road traffic offences. We are committed to providing transparency in relation to our fees.

**All fees and disbursements detailed at the rates below will incur Value Added Tax (VAT). This is at the rate set by HM Government and at present, the VAT figure is 20%.** Below we set out the range of our fees:

### Hourly Rate Fees

We are able to enter into hourly rate fees. Our hourly rates are as follows:

<u>Grade of Fee Earner</u>	<u>Hourly Rate of Fee Earner</u>	<u>VAT Applicable (at 20%)</u>	<u>Total Hourly Rate</u>
Solicitors with over 8 years' experience	£350.00	£70.00	£420.00
Solicitors with over 4 years 'experience (up to 8 years' experience)	£250.00	£50.00	£300.00
Solicitors with up to 4 years' experience	£165.00	£33.00	£198.00
Trainee Solicitors	£120.00	£24.00	£148.00

Paralegal/Legal Assistants	£100.00	£20.00	£120.00
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The above is an indication of our fees. The hourly rates will be applied to all work carried out by us to prepare your case. This will include, but is not limited to the following:

1. Writing to the Crown Prosecution Service to obtain your case papers.
2. Considering evidence in your case.
3. Completing any relevant Court forms/paperwork on your behalf.
4. Taking instructions from you on the evidence and presenting your case.
5. Taking statements from defence witnesses and preparing any bundles with their exhibits (if any).
6. Drafting and submitting any applications to exclude evidence, responding to bad character applications (if required) and/or considering and drafting an application to dismiss.
7. Liaising with the Client, the Court, the Prosecution and/or the Police.

#### Limitations to the Hourly Fees

The above hourly costs will relate to work carried out by staff at Advice Wise Solicitors only. Fees for Barristers who are instructed to provide advice, prepare documents or to represent at any Court appearances, will be chargeable in addition to the hourly fees mentioned above. Barristers will charge between £500.00 - £1,500.00 plus VAT (at 20%) per hearing depending on the seniority of the Barrister required, the amount of evidence to be considered and the length of Trial. **As mentioned, the fees for the Barrister will be determined on a case-by-case basis and will be subject to VAT (at 20%).**

The above will apply to any disbursements which are incurred such as for third party experts, including but not limited to, medical experts, psychiatrists, psychologists, toxicologists, back calculation experts, motor vehicle experts, cell site experts, interpreters etc. The cost of any expert witnesses will vary depending on the type of expert required and the scope of work required. Costs for experts vary between £500.00 - £6,000.00 plus VAT (at 20%). If an expert is required to attend Court, their fee will range from approximately £50.00 - £300.00 per hour plus VAT (at 20%). **As mentioned, any disbursements will be determined on a case-by-case basis and will be subject to VAT (at 20%).**

Other disbursements such as travel costs to Court will be chargeable. Any travel on public transport will be claimed at the exact cost incurred and will be subject to any additional VAT. Any travel by car will be claimed at 45 pence per mile plus VAT (20%).

## Fixed Fee Arrangements

Should you wish to enter into a fixed fee for our services, we are able to accommodate the same. Our typical range of fees are as follows:

### Guilty Pleas

Types/No. of Hearings	Fees
Guilty plea with one hearing	£750.00 - £1,500.00 plus disbursements (plus VAT at 20% on the fees and disbursements)*
Guilty plea with any subsequent hearings (more than one hearing)	£750.00 plus disbursements (plus VAT at 20% on the fees and disbursements) for any subsequent hearings (per hearing)

\*Please note that the range of fee provided is dependent on the location of the Court which needs to be attended, the number of hours required to travel to the Court, the complexity of the case and the amount of work required to prepare the case for the hearing.

### Included in the above fees are the following:

- Considering evidence including pre-sentence reports and mitigation documents
- Taking instructions from the client at Court
- Providing advice on the likely sentence
- Attendance and preparation at Court, either for the one hearing or any subsequent hearings (as mentioned above)

### Not included in the fees are the following:

- Instruction of any expert witness
- Taking statements from any witnesses of fact or character witnesses
- Advice and assistance in relation to any special reasons hearing
- Advice and assistance in relation to an appeal against conviction or sentence

### Disbursements

Disbursements which are incurred such as for third party experts, including but not limited to, medical experts, psychiatrists, psychologists, toxicologists, back calculation experts, motor vehicle experts, cell site experts, interpreters etc may be deemed necessary. The cost of any

expert witnesses will vary depending on the type of expert required and the scope of work required. Costs for experts vary between £500.00 - £6,000.00 plus VAT (at 20%). If an expert is required to attend Court, their fee will range from approximately £50.00 - £300.00 per hour plus VAT (at 20%). **As mentioned, any disbursements will be determined on a case-by-case basis and will be subject to VAT (at 20%).**

Other disbursements such as travel costs to Court will be chargeable. Any travel on public transport will be claimed at the exact cost incurred and will be subject to any additional VAT. Any travel by car will be claimed at 45 pence per mile plus VAT (at 20%).

**The key stages of the matter are based on the presumption that there will be a guilty plea and have a date for your hearing:**

- Meet with the solicitor to provide instructions on what happened.
- We will consider initial disclosure, and any other evidence and provide advice.
- Arranging to take any witness statements if necessary (this will have an additional cost dependant on the complexity of the case and the level of fee earner dealing with the matter).
- We will explain the Court procedure so you know what to expect on the day of the hearing, and the sentencing options available to the Court.
- We will conduct any further preparatory work, obtain further instructions if necessary and answer any follow up queries.
- We will attend Court on the day and meet with you before entering Court. We anticipate being at Court for up to half a day, depending on the Court list.
- We will discuss the outcome with you. If further advice is required on appeal (written or requiring an additional meeting), this will carry an additional cost.

Not Guilty Pleas

Fees for those who will be pleading not guilty are as follows:

Types/No. of Hearings	Fees
Not Guilty Plea Hearing (First Hearing)	£750.00 - £1,500.00 plus disbursements (plus VAT at 20% on the fees and disbursements)*
Additional (non-Trial) Hearings  (case management hearings, mention hearings etc)	£750.00 plus disbursements (plus VAT at 20% on the fees and disbursements) for any subsequent hearings (per hearing)
Half Day Trial	£1,500.00 - £2,500.00 plus disbursements (plus VAT at 20% on the fees and disbursement)

Full Day Trial	£2,500.00 - £3,500.00 plus disbursements (plus VAT at 20% on the fees and disbursements)
Sentencing Hearing after Trial (if applicable)	£750.00 plus disbursements (plus VAT at 20% on the fees and disbursements)**

\*\*Please note that the Sentencing Hearing fee will only be applicable if the Sentencing Hearing falls on a different date to the Trial date. If sentencing takes place following the conclusion of the Trial (on the same date), there will not be an additional fee applicable.

The fee range above depends upon several factors such as the complexity of the case, the volume of case papers and court location.

Barrister Fees will range between £500.00 – £1500.00 Plus VAT (at 20%) per hearing depending on seniority of the Barrister, the amount of evidence to be considered and the length of Trial. The choice of Barrister will always be discussed in advance along with the quoted fees (which will include VAT at 20%).

Included in the above Trial fees are the following:

- Preparing a case Plan.
- Obtaining and Reviewing evidence from the Prosecution including used and unused material.
- Attending a conference to take instructions from the client and advising on the strength of the Prosecution evidence.
- Compiling instructions into a Proof of Evidence.
- Undertaking relevant research on the law and/or case law.
- Advising on the trial procedure, the roles of those present in Court, how evidence is given, Court etiquette etc.
- Attending to defence witnesses and taking of witness statements and compiling any relevant exhibits.
- Compiling defence evidence and/or preparing defence bundles for Court.
- Liaising with the instructed Barrister, the Court, the Prosecution, the Police or other interested parties such as any instructed experts, interpreters and/or medical professionals.
- Prepare any material for Trial.

Not included in the above Trial fees are the following:

- Cost of any instructed experts.
- Advice and assistance in relation to an appeal against conviction or sentence.

### Disbursements

Disbursements which are incurred such as for third party experts, including but not limited to, medical experts, psychiatrists, psychologists, toxicologists, back calculation experts, motor vehicle experts, cell site experts, interpreters etc may be deemed necessary. The cost of any

expert witnesses will vary depending on the type of expert required and the scope of work required. Costs for experts vary between £500.00 - £6,000.00 plus VAT (at 20%). If an expert is required to attend Court, their fee will range from approximately £50.00 - £300.00 per hour plus VAT (at 20%). **As mentioned, any disbursements will be determined on a case-by-case basis and will be subject to VAT (at 20%).**

Other disbursements such as travel costs to Court will be chargeable. Any travel on public transport will be claimed at the exact cost incurred and will be subject to any additional VAT. Any travel by car will be claimed at 45 pence per mile plus VAT (at 20%).

### **Timescales for the Case**

It is always difficult to determine the timescale for a case. This is due to the fact that it depends on various factors including whether a person pleads guilty or not guilty, the listing schedule of the relevant Court, whether a person is in custody or on bail, the complexity in the case, pre-booked holidays or medical appointments, the required length of time for the Trial and the number of witnesses (for the Prosecution and Defence) who are required to give evidence at Court.

However, if a guilty plea is entered, the matter may conclude on the day of the first hearing. If the case is adjourned for any reason, the likely timescale for the matter to conclude can be between one to three months.

If a not guilty plea is entered, most matters can conclude between three months – six months, but Court's will make efforts to deal with cases quicker but it can depend on the particular Court's listing schedule.