

## 7. Analysis of payments

### Section notes

1. Unless otherwise stated, the 2010-2011 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. Duty solicitors made 17,104 appearances on behalf of accused persons. The PDSO also made 1168 appearances as duty solicitor.
6. 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.

## 7.1 Legal assistance expenditure

Subject matter	Expenditure				Income			Total 2010-2011		2009-2010
	Advice & assistance £000	ABWOR £000	Legal aid £000	Total gross cost £000	Contributions from assisted persons £000	Expenses from opponents £000	Amounts awarded to assisted persons £000	Total income £000	Total net cost £000	Total net cost £000
<b>Civil legal assistance</b>										
Adults with incapacity	276	-	1,503	1,778	4	21	0	24	1,754	1,467
Appeals	46	-	830	876	12	144	72	227	649	1,013
Breach of contract	74	-	214	287	14	145	32	190	97	154
Contact/parentage	2,252	-	11,206	13,458	593	11	10	615	12,844	10,375
Debt	621	1	595	1,217	51	185	30	265	951	1,089
Discrimination	26	-	12	38	0	11	0	11	27	18
Divorce/separation	2,138	-	4,293	6,431	649	82	736	1,467	4,964	4,885
Family/matrimonial - other	770	-	1,901	2,671	117	45	17	180	2,492	2,461
Housing/recovery of heritable property	936	-	655	1,591	50	115	21	187	1,403	1,519
Immigration and asylum	3,487	1,048	561	5,096	2	177	0	178	4,917	4,231
Judicial review	224	-	441	665	4	177	3	184	481	417
Medical negligence	405	-	1,782	2,187	14	928	0	942	1,245	833
Mental health	1,436	2,649	-	4,086	0	0	0	0	4,086	3,891
Property/monetary	37	-	777	814	127	26	58	211	603	523
Protective order	13	-	1,398	1,411	74	34	17	126	1,285	1,374
Reparation	1,061	-	6,499	7,561	15	6,026	169	6,210	1,350	2,529
Residence	615	-	3,978	4,593	187	2	15	203	4,390	3,513
Other	3,317	602	2,190	6,109	82	258	93	434	5,675	5,028
<b>Total civil legal assistance</b>	<b>17,735</b>	<b>4,300</b>	<b>38,834</b>	<b>60,869</b>	<b>1,994</b>	<b>8,388</b>	<b>1,273</b>	<b>11,655</b>	<b>49,214</b>	<b>45,322</b>
<b>Criminal legal assistance</b>										
Appeals	39	-	4,160	4,199	0	-	-	0	4,199	3,360
Assault	105	1,617	22,400	24,122	5	-	-	5	24,117	21,419
Bail, including breach of bail	11	1,569	645	2,226	0	-	-	0	2,225	2,268
Drugs	54	1,628	11,168	12,849	1	-	-	1	12,849	10,852
Duty	-	-	1,312	1,312	0	-	-	0	1,312	1,444
Embezzlement/fraud	20	330	2,351	2,701	0	-	-	0	2,701	2,006
Extradition	1	-	201	202	0	-	-	0	202	39
Murder/attempted murder/culpable homicide	28	-	7,009	7,037	0	-	-	0	7,037	7,012
Offensive weapons/vandalism/breach of the peace	85	3,364	9,217	12,665	3	-	-	3	12,663	14,221
Road traffic offences	139	2,079	4,041	6,259	1	-	-	1	6,259	6,453
Sexual offences	33	73	4,290	4,396	0	-	-	0	4,396	5,168
Theft/housebreaking/robbery	76	4,900	7,492	12,468	0	-	-	0	12,468	10,772
Other	387	4,555	7,306	12,249	1	-	-	1	12,248	11,640
<b>Total criminal legal assistance</b>	<b>977</b>	<b>20,116</b>	<b>81,592</b>	<b>102,686</b>	<b>10</b>	<b>-</b>	<b>-</b>	<b>10</b>	<b>102,675</b>	<b>96,655</b>
<b>Children's legal assistance</b>	<b>449</b>	<b>-</b>	<b>4,581</b>	<b>5,030</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>5,030</b>	<b>4,925</b>
<b>Contempt legal assistance</b>	<b>23</b>	<b>0</b>	<b>197</b>	<b>220</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>220</b>	<b>186</b>
<b>Total legal assistance expenditure 2010-2011</b>	<b>19,184</b>	<b>24,416</b>	<b>125,204</b>	<b>168,804</b>	<b>2,005</b>	<b>8,388</b>	<b>1,273</b>	<b>11,666</b>	<b>157,138</b>	<b>-</b>
<b>Total legal assistance expenditure 2009-2010</b>	<b>18,109</b>	<b>24,667</b>	<b>115,202</b>	<b>157,978</b>	<b>1,533</b>	<b>8,325</b>	<b>1,032</b>	<b>10,891</b>	<b>-</b>	<b>147,087</b>

## 7.2 Analysis of payments for all categories

Type of legal assistance	Number of cases	Fees (including VAT)			Total fees		Outlays (incl counsel outlays)		Total 2010-2011		2009-2010
		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	77,448	15,076	-	-	15,076	12,897	2,659	2,532	17,735	15,430	16,592
Civil ABWOR	3,526	3,235	-	-	3,235	2,768	1,065	1,022	4,300	3,789	4,590
Civil legal aid	14,241	22,226	6,305	86	28,617	24,738	10,216	10,200	38,834	34,938	35,011
<b>Total civil legal assistance</b>	<b>95,215</b>	<b>40,538</b>	<b>6,305</b>	<b>86</b>	<b>46,929</b>	<b>40,402</b>	<b>13,940</b>	<b>13,754</b>	<b>60,869</b>	<b>54,157</b>	<b>56,193</b>
<b>Criminal legal assistance</b>											
Criminal advice and assistance	17,623	924	-	-	924	787	53	52	977	840	1,083
Criminal ABWOR	40,291	19,736	-	-	19,736	16,779	380	319	20,116	17,098	20,068
Total summary criminal legal aid	54,040	33,393	309	32	33,734	28,694	1,575	1,525	35,309	30,219	31,665
Total solemn criminal legal aid	11,636	25,224	9,273	2,666	37,164	31,645	3,648	3,441	40,812	35,086	39,082
Total appeals	1,996	1,756	1,480	557	3,794	3,231	366	329	4,160	3,560	3,323
Duty (note 1)	-	1,281	0	0	1,281	1,095	31	27	1,312	1,122	1,444
<b>Total criminal legal assistance</b>	<b>125,586</b>	<b>82,315</b>	<b>11,063</b>	<b>3,255</b>	<b>96,633</b>	<b>82,232</b>	<b>6,053</b>	<b>5,693</b>	<b>102,686</b>	<b>87,925</b>	<b>96,665</b>
<b>Children's legal assistance</b>											
Children's advice and assistance	4,046	436	-	-	436	372	13	9	449	381	414
Children's legal aid	4,007	3,264	934	0	4,198	3,574	383	371	4,581	3,944	4,511
<b>Total children's legal assistance</b>	<b>8,053</b>	<b>3,700</b>	<b>934</b>	<b>0</b>	<b>4,634</b>	<b>3,945</b>	<b>396</b>	<b>380</b>	<b>5,030</b>	<b>4,325</b>	<b>4,925</b>
<b>Contempt of court legal assistance</b>											
Contempt advice and assistance	147	23	-	-	23	19	0	0	23	20	20
Contempt ABWOR	1	0	-	-	0	0	0	0	0	0	0
Contempt of court legal aid	760	173	10	10	193	165	4	3	197	168	166
<b>Total contempt legal assistance</b>	<b>908</b>	<b>196</b>	<b>10</b>	<b>10</b>	<b>216</b>	<b>184</b>	<b>4</b>	<b>4</b>	<b>220</b>	<b>188</b>	<b>186</b>
<b>Total 2010-2011</b>	<b>229,762</b>	<b>126,748</b>	<b>18,312</b>	<b>3,352</b>	<b>148,412</b>	<b>126,763</b>	<b>20,392</b>	<b>19,831</b>	<b>168,804</b>	<b>146,595</b>	<b>-</b>
<b>Total 2009-2010</b>	<b>231,291</b>	<b>118,912</b>	<b>16,531</b>	<b>2,791</b>	<b>138,233</b>	<b>120,207</b>	<b>19,736</b>	<b>19,374</b>	<b>-</b>	<b>-</b>	<b>157,969</b>