



1. This fees bulletin outlines targeted changes to the CPS Very High Cost Case (VHCC) Fee Scheme following the 2019 CPS Counsel Fees Review. It should be read in conjunction with the CPS Very High Cost Case Fee Scheme – Terms of Appointment (Version 7 – February 2020), which is available on the [CPS website](#).

**Outline of the Changes**

2. The changes to VHCC are summarised as follows:
  - a. All Court of Appeal / Higher Court hearings to be paid at half day or full day advocacy rates
  - b. Extradition Oral Renewal Hearings to be paid at half day or full day advocacy rates
  - c. Payment of the full day advocacy rate in Court of Appeal / Higher Court cases, where chambers is more than 25 miles from court
  - d. Judicial Review and Case Stated appeals to be paid at Fee Category 2
  - e. Greater flexibility relating to advocates instructed in more than one trial on the same day.
  - f. Remuneration for Disclosure Juniors to be uplifted to the enhanced VHCC second led junior rates

These changes are now reflected in Version 7.0 of the [VHCC Terms of Appointment](#).

**Implementation – 1 February 2020**

3. The changes outlined at 2a to f will apply to all new instructions on or after 1 February 2020.

**Court of Appeal / Higher Court Advocacy Rates**

4. The ‘Other’ hearing rate no longer applies in respect of Court of Appeal / Higher Court instructions.
5. All hearings in the Court of Appeal and Higher Court (incl. extradition Oral Renewal hearings – see 2b above) will be paid at either the half day or full day advocacy rate, based on actual sitting times, as follows:

Full day advocacy rate	Hearing commences during the morning court session and conclude during the afternoon court session
Half day advocacy rate	a. Commences and concludes during the morning court session, <b>or</b> b. Commences and concludes during the afternoon court session.

6. The half day and full day advocacy rates remunerate the advocate for all work, travel and advocacy undertaken during either a 3.5 hour or 7 hour period.
7. Any travel or preparation undertaken outside the period covered by either the daily or half day advocacy fee will be remunerated separately.

**Travel to the Court of Appeal / Higher Court**

8. Previously, the advocacy rate applicable in Court of Appeal / Higher Court was determined based on the hearing length and whether the case was listed for a substantive hearing. This is no longer the case.
9. Under the February 2020 arrangements, the advocacy rate will be determined as follows:

Chambers based <b>25 miles or fewer</b> from court	Half day or full day advocacy fee, subject to hearing length
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Chambers based <b>25 miles or more</b> from court	Full day advocacy fee
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10. The half day and full day advocacy rates remunerate the advocate for all work, travel and advocacy undertaken during either a 3½ hour or 7 hour period. Any travel or preparation undertaken outside the period covered by the advocacy fee applicable will be remunerated separately.
11. Where travel time is claimed, the advocate must record the start and end time for each single journey in the work record, together with the starting point and destination. The journey is deemed to start from chambers unless the actual starting point is nearer.

#### Fee Category 2 – Judicial Review and Case Stated instructions

12. In Court of Appeal and Higher Court instructions, Fee Category 2 has been extended to include **Judicial Review and Case Stated appeals** and now applies to the following cases:
- Appeal cases which are likely to impact on future prosecutions and the general principles of law
  - Judicial Review and Case Stated appeals
  - Cases remunerated at VHCC fee category 2 during the Crown Court proceedings

13. The criteria for Fee Categories 1 and 3 are unchanged in respect of Court of Appeal and Higher Court instructions.

#### Conducting multiple hearings on the same day

14. The rules relating to the payment of fees for conducting multiple hearings in different cases on the same day have been amended and are set out at paragraphs 15.0.5 to 15.0.8 of the VHCC Terms of Appointment.

#### Rates of Remuneration for Disclosure Juniors

15. Counsel instructed in any VHCC or GFS case solely to review and advise on unused material, on or after 1 February 2020, will be paid at the enhanced VHCC 'second led junior rates' as follows.

Advocate	Hourly rates for preparation			Full day advocacy rate	Half day advocacy rate	Other hearings
	Category 1	Category 2	Category 3			
Disclosure Junior	£90	£70	£60	£200	£100	£40

#### Further queries

16. Should you have any queries regarding this bulletin or any other fee related matter, please contact your Case Auditor or the [CBU@cps.gov.uk](mailto:CBU@cps.gov.uk)
17. Information about changes being made the Graduated Fee Scheme and Magistrates' Court Agent Fees, and all other CPS fee information can be found on the CPS website: <https://www.cps.gov.uk/cps-operational-information>

**Wendy Pitsillides**  
Head of Fees, Court Business Unit