

Guildhall Chambers - Summary only motoring offences –instructing a barrister on a Direct Access basis (representation for defendants)

Barristers at Guildhall Chambers (within the specialist crime time) can act for you in relation to summary only motoring offences arising under Part I Road Traffic Act 1988 and/or s.89 Road Traffic Regulation Act 1984. Please note that not all of the criminal team at Guildhall Chambers can act for you on a direct access basis, please refer to the Direct Access page on our website (at <http://www.guildhallchambers.co.uk/public-access.html>) or contact the clerks to see which barristers can act for you on a public or direct access basis.

Offences are “summary only” if they can only be heard in the Magistrates’ Court and include driving whilst disqualified, driving without insurance, careless driving, failing to stop or report and speeding.

None of our barristers are authorised to conduct litigation on your behalf.

Timescales

Please read the general information on provided on timescales (‘Do you have timescales for the services which you provide?’) which is available in our ‘Transparency’ information because this will apply to this area of work. All barristers will aim to complete any written/or advisory services within 14 days where possible.

A barrister would ordinarily be instructed in a summary only motoring offence when a first court hearing date had already been set. If a “not guilty” plea is entered at that hearing, the matter would be adjourned to a further date for trial. The trial listing would be likely to be within 6-9 months of the first hearing date.

If you need any advice and/or representation on an urgent basis then please contact our clerks and where possible our barristers will aim to represent/advise you on that basis. If you wish to instruct a barrister to provide their services within a fixed timescale, then you will need to agree this with the barrister via their clerk when providing instructions.

Fees

We will normally charge you a fixed fee for representation for summary only motoring offences where you instruct a barrister from Guildhall Chambers on a direct access basis. We will normally charge you on an hourly basis for advisory work where you instruct a barrister from Guildhall Chambers in relation to summary only motoring offences on a direct access basis.

A ‘fixed fee’ means that we will charge you a figure for the work which the barrister will not normally exceed. However in certain circumstances if further work is required which was not originally envisaged at the time that your fixed fee was provided (or the circumstances of the case alter), then the barrister may be entitled to exceed that fee. However, we will aim to inform you if the fee provided is likely to be exceeded.

Please see below a range of **estimates** for the fixed fees involved in instructing barristers from Guildhall Chambers to act on a direct access basis in cases involving summary only motoring offences. All fees **exclude** VAT (where applicable).

Criminal proceedings – motoring offences

Fixed fee estimates for representation

Junior Counsel	Guilty plea fee to include preparation, conference and hearing	Brief fee for trial to include preparation, conference and day one of trial	Refresher fee
3 – 7yrs call	£1,000 - £2,000 & VAT	£2,000 - £3,000 & VAT	In the region of £1,000 & VAT
7 - 12yrs call	£2,000 - £2,750 & VAT	£3,000 - £4,000 & VAT	In the region of £1,500 & VAT
12yrs plus	£2,750 - £3,500 & VAT	£4,000 - £5,000 & VAT	In the region of £2,000 & VAT
Queens Counsel	£4,000 - £5,000 & VAT	£5,000 - £6,000 & VAT	In the region of £3,000 & VAT

Guideline hourly rates for advisory work

Please note that any first appearance (normally less than two hours including preparation) will also be charged at this rate.

Junior Counsel	Hourly rate
3-7yrs call	£150 - £200
7 – 12yrs call	£200 - £275
12 yrs plus	£275 - £325
Queens Counsel	£350 - £400

Please note that these are estimates only and may not apply in the circumstances of your case. Please contact the clerks at Crime.Clerks@guildhallchambers.co.uk (or telephone on 0117 930 9000) for a more detailed estimate applicable to the circumstances of your case.

There will be certain factors which may increase the level of work involved, and therefore the fees which are likely to be charged (or the number of hours involved). These factors will determine where the fee involved in your case will fall within the range of above fee estimates (if the fee falls within that range at all) and the number of hours involved for advisory work.

Those factors include:

- (i) The seniority of barrister required for your case. The more experienced the barrister (which is normally calculated on the number of years since they were called to the bar) the higher the likely level of fees to be charged.
- (ii) The number of papers involved in the case and/or the complexity of the factual issues involved.
- (iii) The time in which you require the work to be turned around and/or the services to be provided. More urgent work will often involve a higher level of fee (for example if this involves the barrister working over a weekend or prioritising your case over other work).
- (iv) The amount of time that your case will require the barrister to be in court.
- (v) The amount of travel time required for the barrister to get to and from court. Travel time is usually charged at half the barrister’s hourly rate.
- (vi) The complexity of the legal issues involved.

- (vii) The significance of the case more generally, for example if the case has wider ramifications for the client generally and/or wider public or legal significance.

If you are concerned about the level of fees which may be involved in your case, please inform the clerks at the earliest opportunity who will be able to discuss with the barrister how costs can be managed on the case.

Please note that fee indications are (unless expressly agreed otherwise) not “caps”, and if a barrister is required to do work on the case, then they will charge accordingly. We will always aim to inform you if the fees on the case are likely to exceed the fee quotes or estimates previously provided. The best way to manage the level of the fees is to discuss the circumstances of your case (including any issues regarding fees) with the clerks when initially seeking to instruct a barrister.