

Improvements in Legal Aid Administration

Significant improvements in the time taken to pay practitioners and decide legal aid applications were recorded in our 1991-92 annual report published in June.

After receipt in the area office:

- 89% of magistrates' courts bills were paid in six weeks
- 78% of civil bills were paid within six weeks
- 95% of other bills were paid within six weeks
- 86% of applications for civil legal aid were decided within four weeks

We are pleased with the level of performance achieved.

Further improvements to our work practices, a more sophisticated computer system, improved performance by the Benefits Agency and a high level of commitment on the part of legal aid staff have all contributed to a better service for the profession and the public. We will continue to work for improvements to the service we provide.

We recognise that delays in other parts of the legal system mean that practitioners must wait for significant periods before they receive payment but the Board is doing all it can to ensure that once a bill arrives in the area office after

taxation by the court or direct from the practitioner for assessment it will be paid within six weeks or as soon as possible after that.

If standard fees are introduced during the year we anticipate publishing payment targets for these claims - a target for the lower standard fee and a separate one for the higher standard fee.

Other improvements made by the Board over the year have included faster payment via BACS which allows payment to enter the account holder's bank direct without the need to process and issue a cheque. Some 65% of payments are now made through this system which delivers money to the payee's account on average three days faster than payment by payable order.

A further improvement in work practices has seen area office switchboards opening continuously between 9.00am and 5.00pm so that they are no longer closed over the lunch period. We hope this will benefit callers significantly.

A programme of forms revision has been identified and with the help of a consultative group of practising solicitors we have managed to introduce

a variety of new or improved forms in a bid to simplify our procedures and paperwork for use by the profession and public. The application form for non-matrimonial civil legal aid, the new CLA30, CLA31, and ABWOR 6 forms have been given the Crystal Mark by Plain English Campaign.

This is given only to forms which meet the highest standards of clarity. Other forms have also been identified for improvement including the civil report on case and costs claim (CLA 16 and 17).

All area offices have now had installed replacement computer systems to deal with the production of legal aid certificates and offers as well as other ancillary documents.

The system also allows many public and other inquiries to be answered from a computer screen rather than a paper file. This is contributing to a better service generally. Work is now proceeding on a pilot to evaluate enhancement of the system to deal with post-certificate work.

Copies of the Legal Aid Board Annual Report (1991-92) can be purchased from HMSO bookshops, price £17.



The Board is pleased to report that the Leeds Area Office was awarded the BS5750 quality accreditation in June this year.

The office has led the way for other area offices as the Board intends the whole organisation to achieve accreditation by 1994.

The BS5750 quality mark is a highly regarded quality accreditation given to organisations which the British Standards Institute regards as having set, and reached, practical standards of quality. The Board's intention to become a BS5750 organisation reflects its commitment to improving the quality of its operation and achieving greater consistency of decision making.

The new Legal Aid Handbook, the official guide to legal aid practice in England and Wales, will be published by Sweet and Maxwell at the end of July. New material includes:

- Notes for Guidance on the new provisions regarding contracting in multi-party actions as well as the Board's Multi-Party Action Arrangements 1992
- Information on consistency of decision making regarding civil legal aid applications and the statutory charge
- Detailed information on payments on account
- The new Duty Solicitor Arrangements 1992

- Detailed information on authorities for counsel in civil cases

In addition, the usual updated information will appear covering the current statutory provisions relating to advice and assistance, civil and criminal legal aid. The current eligibility limits and remuneration rates will be shown together with a comprehensive list of legal aid forms, forms tables and a directory of legal aid area offices.

Copies of the new Handbook can be ordered direct from Sweet and Maxwell subscription department on Tel. 0264 334223 or by fax on 0264 364418. The price will be £10.95.

National Audit Office reports on Legal Aid

Both the Board and Legal Aid solicitors got much credit for the service they provide to their clients in the National Audit Office's report on the administration of legal aid.

The Board was described as having made "a significant improvement in the administration" of legal aid and as delivering an "effective service". It states, "The Board has played a key role in securing administrative improvements, and has also set work in hand to promote greater consistency in the granting of legal aid, the monitoring of the cases and the assessment and taxation of legal practitioners' bills."

Alongside this, the NAO reported that 81% of clients were satisfied with the overall service they received from their legal aid solicitor and 66% felt they had received as good a service as could be found in the private sector.

The Board welcomes the recognition the NAO has made of its work and that of legal aid solicitors. It will work towards achieving other improvements in the system as recommended by the report. Copies of the NAO report can be brought from HMSO price £9.10.

SANELINE Appeals to Lawyers

The Board has been contacted by SANELINE, the first out-of-hours telephone helpline for those coping with serious mental illness. It is calling for solicitors to join up and give free advice to mentally ill people who need legal assistance. There is no legal aid funding within the Legal Aid Act 1988 for this telephone advice, but solicitors may wish to consider participating.

The charity SANE, which launched SANELINE on 1 May, says it has already compiled a panel of 24 solicitors who have offered to give an initial half hour telephone consultation free to those who need immediate legal advice. They will do this in the evening and at weekends when help is least available.

SANELINE provides information, support and practical advice for people who are mentally ill, their families, friends,

voluntary and professional organisations. The line is staffed by trained and supervised volunteers who have a basic understanding of the Mental Health Act but who often need specific expert advice. Within the first six hours of the launch of SANELINE, 1,600 callers attempted to ring and by the end of the first weekend, volunteers had responded to nearly 1,000 of the 4,000 calls attempted.

The demand continues, says SANELINE, and it is clear that an extended service is needed. SANELINE would be interested to hear from solicitors who have experience in the mental health field and who might be prepared to join the existing panel and offer help on a half hour telephone consultation basis.

To find out more details please call SANELINE on 071 724 6570 during office hours.

Contracting in Multi-party Actions

New powers of contracting in Multi-Party Action (MPA) cases have been vested in the Board. This means it can now ensure that the generic work is managed in an effective and co-ordinated way. The changes follow a request from the Lord Chancellor in 1988 for us to assess the merits of introducing new legal aid arrangements in such actions and in the wake of the problems which arose from the *Opren* and similar litigation.

The Board can only use its new powers in personal injury litigation. Its MPA committee will review the scope of the arrangements in due course with a view to making recommendations to the Lord Chancellor's Department. For now we have chosen to test the new procedures in just one area of law. Although many of the early problems have been overcome through informal initiatives developed by the profession, the courts and the Board, the new contracting procedures formalise and build on some of those initiatives. We aim to:

- ensure against the costs of generic work in large actions being duplicated;
- ensure the generic work is conducted by firms with appropriate experience, expertise and back-up;
- ensure the actions are managed effectively;
- ensure claimants are kept informed and understand what to do if they are not satisfied with the service they are receiving from the contracted or local firms;

- achieve better cash flow for the contracted firms;
- achieve more consistent practices throughout our own area offices;
- achieve better value for money for claimants and the taxpayer.

New powers

The Civil Legal Aid (General) Regulations were amended on 1 April 1992 to give the Board the discretion to contract in personal injury actions involving ten or more claimants. Detailed procedures together with notes for guidance have been set out in the MPA Arrangements which are included in the new Legal Aid Handbook which has just been published.

In suitable actions the Board will contract with one firm, or a group of firms, to undertake the generic work on behalf of all the claimants. Claimants will be at liberty to instruct the local firms of their choice who will undertake the work specific to those individuals. In small localised actions the Board might choose to contract with one or more firms to conduct all work on behalf of all of the claimants.

Contractual obligations

As with any contract there are obligations and benefits for contracting firms. The principal standard contract terms are set out in the MPA Arrangements. Contract firms will be obliged to:

- send detailed six-monthly reports to the Board;
- send three-monthly reports to claimants;
- send details of their complaints

procedures to claimants;

- keep local firms informed of the progress of the action and give them sufficient guidance and information to enable them properly to advise and assist their clients.

In return, the contract firms will be eligible for advantageous payment on account arrangements. They will not have to wait 12 months from the issue of proceedings before applying for payments, nor prove hardship. The Board will pay 75% of what it considers to be a reasonable amount for work reasonably done.

How does a firm get a contract?

A number of firms have already contacted the Board asking how they can apply for a contract. In fact, tenders will only be invited in individual actions from those firms which have submitted applications for legal aid. Basically, the Board will identify actions which require a co-ordinated approach and ask the firms which have submitted applications to detail in tender reports how they would propose progressing and co-ordinating the litigation on behalf of all the claimants. However, unlike normal commercial contracts the Board will not necessarily be encouraging competitive tenders. We recognised early on that we were unlikely to be in a position to identify multi-party actions and gear up to inviting tenders before firms had already formed steering committees, either informally or through the national and local Law Society co-ordinating services. Accordingly, the Board hopes firms

Changes to the Solicitors' Accounts Rules for Legal Aid Practitioners

will co-ordinate before tenders are even invited and would be content to receive single tenders from steering committees, provided it was satisfied with the number of firms on the committees and that the committees had the appropriate experience, expertise and back up needed to manage the litigation to the appropriate standard. In short, we now have the power to prevent unsuitable firms from undertaking these actions and to ensure that the number of firms undertaking the generic work is appropriate for the action.

It should be noted that 'price' will not be a feature of the tendering process although this approach may be considered for the future.

Contract firms will be paid according to the normal taxation and assessment process.

Who will select the contract firms?

The Board has an MPA Committee which has been responsible for the development of the new procedures.

That committee will continue to undertake policy functions concerning multi-party actions.

However, it will sometimes sit as an 'operational' committee when it will be responsible for, among other things, selecting contract firms.

The operational committee will include standing members nominated by the Law Society and the National Consumer Council (NCC) who can offer experience and, in the case of

the NCC representative, ensure that the claimants' interests are represented. The work of the committee, will not impinge upon the work of the area committees.

Deciding when to Contract

Area office computer systems have been programmed to identify a potential contract case by recording when ten or more certificates have been issued. The Multi-Party Actions Committee will decide whether the action involves significant complexity in terms of assembling statements, undertaking research, obtaining expert evidence, examining or processing large volumes of documentation, and whether to trigger the tender procedure.

The first contract

The number of contracts issued in the first year will be limited while the new procedures become established. The Board has chosen the Human Insulin action as its first contract case and has sent letters to all firms which have submitted legal aid applications inviting them to tender for a contract to do the generic work. The MPA operational committee is due to meet in August to consider the tenders. It is unlikely that the Board will consider a second contract until the first is up and running.

The MPA Arrangements and Notes for Guidance are included in the new Legal Aid Handbook which is published this month.

The Solicitors' Accounts Rules 1991 came into effect on 1st June 1992 and were printed in Professional Standards Bulletin Number 5. Further changes were subsequently made and also came into effect on 1st June 1992.

These changes were detailed in the Law Society's Gazette No. 17 [6th May 1992] and the amending rules will be printed in Bulletin Number 7 due out in September. However, the 4th edition of the Solicitors' Accounts Manual is now available for £8.95 from the Law Society Shop, 227 Strand, London WC2 or by mail order from the Law Society's Finance Department, 50 Chancery Lane, London, WC2 (DX 56 London/Chancery Lane) : cheques should be made payable to "Law Society Services Ltd".

The Manual is completely up-to-date and contains a detailed commentary, the consolidated Accounts Rules and other useful information. Legal Aid practitioners will be particularly interested in the Solicitors' Accounts (Legal Aid Temporary Provision) Rule 1992 which deals with payments of costs from the Board.

Guidance on the Accounts Rules is available from Professional Ethics, The Law Society, Ipsley Court, Redditch, Worcestershire B98 0TD, telephone 0527 517141 (local calls) or 071 242 1222.

Civil Legal Aid - Instructions to Counsel

When a solicitor is acting under a civil legal aid certificate he/she may instruct counsel where it appears to him/her that the proper conduct of the proceedings so requires, but specific authority, contained in the certificate or granted subsequently, is required for the instruction of Leading Counsel or more than one counsel (Regulation 59(1)(b) Civil Legal Aid (General) Regulations 1989).

Regulation 63(3) provides that where costs have been incurred in instructing Leading Counsel or more than once counsel without authority then no payment in respect of those costs shall be allowed on any taxation, unless it is **also allowed** on an **inter partes** taxation. Although Regulation 63(4) permits costs to be allowed on taxation where they have been incurred in instructing counsel without authority, this does not enable Leading Counsel to be paid in the absence of authority where there is no inter partes taxation.

The position was considered in *Din v. Wandsworth London Borough Council* (No.3) [1983] 1 W.L.R. 1171 and has recently been examined by Mr Justice Hobhouse in *Robyn Hayley Hunt v East Dorset Health Authority* [1992] 2 All E.R. 539. The latter case actually related to the Legal Aid (General) Regulations 1980 but the provisions in the 1989 Regulations are, in

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Legal Aid - Civil Authority and Amendment Application Forms

We aim to improve our service to solicitors and assisted people by having all the information needed to make a decision on an amendment or authority request first time. To do this we have introduced three forms for legal aid practitioners to use when applying for an amendment to/or prior authority to incur expenditure under a civil legal aid certificate or ABWOR approval. Forms CLA 30, CLA 31 and ABWOR 6 have been introduced to replace the existing method of applying for an authority or amendment.

In doing this we consulted the Law Society on the content and layout of the three forms and sought the advice of Plain English Campaign. The forms have the 'Crystal Mark', a symbol of clarity given by Plain English Campaign.

Use of the appropriate form will be mandatory from **Monday 14 September 1992**. Area offices will reject applications for amendment or authority in civil and ABWOR cases received after that date made by letter or on the old CLA 30 form. When sending one of the new forms to an area, we ask you **not to attach a covering letter** because this hides the form and makes it difficult for the area office to fast-track the application. Documents sent with the application should be fixed to the back of the form.

Supplies of the new forms have been available from the Board's area offices since 15 July. Legal aid practitioners were sent a mail shot in the week beginning 6 July to inform them about these changes.

Form CLA 30 - Application for Amendment

Use this form to apply for an amendment to a civil legal aid certificate, for example to remove a limitation. You can make up to two applications for the same certificate on one CLA 30. If you need to make three or more different applications for the same certificate, fill in two forms and fasten them together.

As part of the solicitor's statement on page two of the form, we are asking the solicitor to give his or her view of the costs and merits of the action at the time of applying for amendment, as a follow-up to the information requested on application form CLA 1. We are only asking for this information in non-matrimonial cases at the moment.

CLA 31 - Application for Prior Authority

Use this form to apply for prior authority to incur expenditure under a civil legal aid certificate. You can make up to two applications for the same certificate on one CLA 31. Give the details for the second application on pages 3 and 4. If you need three or more different applications for the same certificate, fill in two forms and fasten them together.

Form ABWOR 6 - Application for Prior Authority or Amendment

Use this form in ABWOR cases when applying for an amendment of the approval or for prior authority to incur expenditure. Complete a separate form for **each** application.

New Legal Aid Financial Form for Children

This month the Board introduced Form CLA 4F, a new one page financial assessment form for children under 16. Legal aid practitioners listed on the Board's master index were sent a mail shot regarding the new form in the week beginning 6 July. The form has been available from the Board's area offices since 15 July.

The single page form will mean less time spent on form-filling in the solicitor's office and faster processing by the legal aid area offices and Benefits Agency (Legal Aid Assessment Office).

Form CLA 4F should be used in place of financial application form CLA 4A in all civil legal aid applications made on behalf of a child under 16, **except** where the

child receives a regular income which is not maintenance payments, pocket money or earnings from a part-time or holiday job, or has savings of £2,500 or more. In such cases the normal financial form CLA 4A must be fully completed.

The form must be signed by the child applicant's next friend/guardian ad litem; or, signed personally by the solicitor in Children Act 1989 or inherent jurisdiction (wardship) proceedings, where the child has the leave of the court or is of sufficient understanding to conduct proceedings without a next friend or guardian. A separate form must be completed for **each** child applicant where more than once child is applying for legal aid.

Regulation 100 Payment on Account

Regulation 100 as it applies to solicitors changed with effect from 1st April 1992. The maximum payment to solicitors in the financial year 1992-1993 for profit costs remains at 54%. The maximum increase is 62% from 1st April 1993.

At the same time, the changes to the Regulations allow payment on account to be claimed when a certificate has been in force for 12 months instead of 18 months.

Transitional arrangements have been included in the revised Regulations so that all certificates will fall within the new Regulations in December. Claim forms will be sent to the last recorded conducting solicitor at the appropriate time. Some certificates will be eligible for two claims within one 12 month period. These arrangements are set out fully in issue five of Legal Aid focus (March 1992).

Counsel continue to be eligible for payments under the previous regulation and are not affected by these new regulations.

Solicitors' References on Form GF2

A consistent complaint from solicitors over many years has been the lack of the solicitor's own reference on correspondence and remittance advice notes from the Board. As a first step in providing references the consolidated green form claim form, GF2, now includes a box for the solicitor to enter his/her own reference.

There may be up to 16 characters (letters, numerals or other characters) entered in this box and anything entered in the box will be printed on the remittance advice note when the payment is made. The lead name on the form will no longer be printed on the remittance advice note.

The current version of the consolidated green form claim form is GF2 printer's date November 1989. With effect from Monday 7th September only this version of the claim will be accepted by area offices. Those firms still with stocks of forms LA/ACC/8B and other versions of form GF2 should destroy them and obtain a supply of the current version of the form from their area office.

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effect, the same. In Hunt it was held that where there is no inter partes taxation there is no discretion to allow unauthorised costs incurred in instructing Leading Counsel. Hobhouse J. made specific reference to the solicitor's obligation to include a copy of the certificate and any authority with instructions delivered to counsel in a legally aided case (Regulation 59(2) Civil Legal Aid (General) Regulations 1989). He also drew attention to the solicitor's clear duty to obtain express authority for the instruction of Leading Counsel.

Instructions to counsel in legally aided cases must:-

- include a copy of the certificate and any amendment together with any authority to incur costs; and
- be endorsed with the legal aid reference number and, in the case of authorised summary proceedings, show the authority for counsel to be instructed.

No fees can be marked on any set of legal aid instructions and counsel should, in their own interests, check that the requirements of Regulation 59(2) have been complied with if they are to be certain of payment.

Green Form Scheme Guidance - Payment for advice on matters of law by someone who is neither a solicitor nor a barrister

In the case of *R v Legal Aid Board ex parte Bruce* the House of Lords considered the question of whether the cost of providing advice on English law which is given by someone who is neither a solicitor nor a barrister can be charged as a disbursement under a green form. In that case solicitors had sought to charge under green forms for the cost of obtaining advice on welfare benefits law from an organisation called Analysis of which Mrs Patricia Bruce was the proprietor. The Board was advised that the Legal Aid Act 1988 permitted payment for advice on matters of English Law to be made only to solicitors or barristers or solicitors' representatives under Regulation 20 of the Legal Advice and Assistance Regulations 1989. Under Regulation 20 a solicitor may entrust any function under those Regulations, including the giving of advice itself, to a partner or to a competent and responsible representative who is employed in the solicitor's office or is under the solicitor's immediate supervision in the same way as would be an employee. This latter category includes people who are not on the solicitor's payroll but who do work for the solicitor for which they are paid by the solicitor. Mrs Bruce applied for judicial review of the Board's decision that it had no power to pay the fees of Analysis and she was successful at first instance. The Board's appeal to the Court of Appeal was upheld and Mrs Bruce's subsequent appeal to the House of Lords was unanimously dismissed. The effect of the House of Lords' ruling is that all legal advice under the green form scheme must be provided by legal representatives (which at present means only solicitors or barristers). Solicitors are permitted

under Regulation 20 of the Advice Regulations to entrust the work to someone under their immediate supervision who is not legally qualified, provided that person is competent to give the advice, but they may not be paid under green forms for the cost of obtaining legal advice for their clients from anyone who is not a solicitor or barrister.

The ruling does not prevent solicitors from obtaining experts' reports on matters other than law, notwithstanding that those reports may be given with the legal issues in mind. The House of Lords decided that there is a difference between a report given by someone whose expertise is the law itself and a report given by someone who is, for example, a medical expert but whose report touches on the legal issues in so far as they relate to his or her particular field of expertise. Solicitors are not prevented from seeking legal advice from non-lawyers if they choose to do so but the cost cannot be charged as a disbursement under the green form scheme and must be absorbed by the solicitors as part of their overheads. If a solicitor chooses to seek advice elsewhere, he or she must then give the advice to the client as the solicitor's own advice. Any claim under a green form will then be assessed on the basis of what would have been a reasonable time for a solicitor who was competent in that field of law to spend giving the advice to the client.

In the course of argument the House of Lords also accepted the Board's further contention that the use of solicitor agents is not permitted under a green form. If solicitors who are acting for a client under a green form decide that they are no longer able to deal with the matter, either for geographical reasons or because of a

lack of relevant expertise, any new solicitors who wish to advise the client should not do so as agents of the first firm but should apply under Regulation 16 of the Advice Regulations for prior authority from the appropriate area office to give advice and assistance to the client on the same matter. The restriction on solicitor agents does not, however, apply to representation under a legal aid certificate and the Board is prepared to accept that solicitor agents are also permitted where a client is in receipt of ABWOR.

The House of Lords' decision applies not only to welfare benefits law but to advice on any other matter of English law. Where solicitors lack the necessary expertise to advise a green form client and the use of counsel is not justified, they should either refer the client to another firm of solicitors who are able to advise or alternatively accept that the cost of acquiring the relevant expertise must be treated as an office overhead and cannot be charged as a disbursement under a green form. If solicitors have any query about the use of legal experts other than solicitors or barristers or about the extent to which they may entrust functions to others under Regulation 20 of the Advice Regulations they should contact their area office for guidance.

Additional copies of Legal Aid Focus can be obtained from Caroline O'Dwyer, Legal Aid Board Head Office, 5th & 6th Floors, 29-37 Red Lion Street, London WC1R 4PP. DX Box No. 450 London

Issue four of Legal Aid Focus carried decisions by the Board's Costs Appeals Committee covering the period October 1991 - January 1992. Since April 1989, solicitors and counsel have had the right of appeal to the Board from an Area Committee's review of costs assessment. Listed below are the decisions of the Costs Appeals Committee on points of principle of general importance for the period February- June 1992. (Please note issue 5 of Focus published in March did not carry any decisions). We hope this list will be of help to practitioners when claiming costs.

Review of Assessment of Claims for Costs by Area Committee

An Area Committee dealing with a review of an assessment deals with it de novo (Ref. CRIMLA -28 - 16.3.92).

Transfer of Magistrates' Court Legal Aid Order - Work done by New Solicitor Prior to Transfer

Regulation 44 (7) Legal Aid in Criminal and Care Proceedings (General) Regulations 1989 does not apply to a situation where there is already a legal aid order in force and therefore there is no authority for paying a second solicitor for work done by him or her before the date of transfer of the legal aid order into the solicitor's name (Ref. CRIMLA 29 - 16.3.92).

Work Undertaken Prior to Committal: Scope of Magistrates' Court Order

Where a legal aid order is made to defend criminal proceedings in the Magistrates' Court and the case proceeds by way of committal to the Crown Court, the costs payable under the order will be limited to items of work relating to proceedings in the Magistrates' Court. It is for the solicitor to justify work undertaken while the proceedings are in the Magistrates' Court, taking into account the nature of the case and the issues involved, the time when the work was undertaken, the then state of proceedings, the nature of evidence obtained and the effect of delaying the work to a date subsequent to committal (Ref. CRIMLA 30 - 27.4.92)

Consideration of Medical Records by Solicitors in Medical Negligence Cases

It is reasonable in medical negligence cases for the assisted person's solicitor to consider in detail copies of the medical records relevant to the issues in the case (Ref. CLA 7 - 27.4.92).

Use of Local Agent Solicitors

In evaluating whether it is appropriate to employ a solicitor agent for any particular hearing, the assigned solicitor should take into consideration all the circumstances of the case including by way of example:

- (a) the nature and purpose of the hearing,
- (b) the nature, gravity and complexity of the proceedings,
- (c) the relationship between client and solicitor,
- (d) whether the client suffers from any disability, and
- (e) the availability of local agents.

In the absence of any factors justifying the assigned solicitor's attendance, the assigned solicitor will be expected to have regard to the cost effectiveness of employing a local solicitor agent having regard to the time that will be spent by the assigned solicitor in briefing the agent and the agent in preparing for the hearing, compared with the likely cost of attending in person, including the time that would be spent in travel and waiting (Ref. CRIMLA 31 - 1.6.92).

Enhanced Rates - Assignment of Counsel

A finding by Magistrates' under Regulation 44(3)(a) of the Legal Aid in Criminal and Care Proceedings (General) Regulations 1989 that a case is unusually grave or difficult justifying the assignment of counsel under a legal aid order does not override the discretion vested in the appropriate authority to consider whether the circumstances of paragraph 3, Part I, Schedule 1 of the Legal Aid in Criminal and Care Proceedings (Costs) Regulations 1989 apply, and whether the case attracts fees at more than the relevant basic rate (enhanced rates) (CRIMLA 32 - 1.6.92).