

# **Legal Fee Information for** **Motoring Offences**

## **Introduction**

If you have been charged with a motoring offence, such as speeding, driving without due care and attention, or driving whilst under the influence, professional legal advice will help limit the possible consequences.

Our fees for dealing with summary only motoring offences can vary, depending on whether the plea is Guilty or Not Guilty and the number of hearings involved. We have set fees depending on your circumstances:

## **Legal Fees**

Legal Fees are the amount you will be required to pay for all of the work performed by us in actioning your instructions, from commencement of your case to conclusion.

### **Initial appointment**

At Breese Gwyndaf, we offer the first meeting with your solicitor for a fixed fee. \*

We charge a fixed fee of £240.00 Inc. VAT (up to 1 hour) or £120.00 Inc. VAT (up to 30 minutes) appointment.

\* However, if you're not sure whether your question warrants the cost, you can speak to our solicitors for up to 10 minutes for free.

An example of our costs are below:

- A guilty plea summary offence: Our fixed fee is £400 plus VAT (£480 Inc. VAT). If the case is adjourned to another day we will charge an additional £350 plus VAT (£420 Inc. VAT)
  - A guilty plea speeding offence by post: Where the case does not fall under the Courts totting up procedure our fixed fee is £350 plus VAT (£420 Inc. VAT).
  - A guilty plea speeding offence court attendance: Where the case does not fall under the Courts totting up procedure our fixed fee is £400 plus VAT (£480 Inc. VAT).
  - A special reasons guilty plea hearing: Our fixed fee is £800 plus VAT (£960 Inc. VAT)
  - An Exceptional Hardship argument: This is where you are liable to a disqualification under the Courts totting up procedure, our fixed fee is £1500 plus VAT. (£2100 Inc. VAT)
  - A trial in relation to a summary motor offence: For the preparation leading up to and including the trial our fixed fee is £1,250 plus VAT (£1500 Inc. VAT) for a full day hearing.
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- We will charge the sum of £25.00 plus VAT (£30.00 inc. VAT) for electronic money transfers.

Should your instructions require us to take your matter out of the fixed fee rate (see below for what our fixed fee covers) any further time is billed based on an hourly rate which is from £180.00 - £230.00 plus VAT (£216.00 - £276.00 inc. VAT) and will depend on the experience and qualification of the case handler as follows: -

- Senior solicitor £230.00 plus VAT (£276.00 Inc. VAT)
- Assistant Solicitor £180.00 plus VAT (£216.00 Inc. VAT)

If your matter becomes complex (see below) our fees may increase further and we will notify you in advance of any increased costs.

If at any stage our fees change, we will notify you and discuss the reason for any changes. This would typically occur if you change your instructions or your case involves an unforeseen complexity.

Our average fees assume that:

- a) The transaction is concluded in a timely manner and no unforeseen complication arise.
- b) All parties to the transaction are co-operative and there is no unreasonable delay from any parties providing documentation.

### **Our Legal Fee includes:**

Our fees will typically include:

- All telephone calls, letters and emails as well meeting you at our offices to take your full instructions
- Advising you on the evidence and the court procedure and answer any questions you may have
- Attending court to represent you at each hearing of your case
- Reporting back to you with our advice, if appropriate, on appeal

### **Our Legal Fee does not include:**

Where there is likely to be any additional cost, we will inform you as soon as possible with a clear estimate of those costs.

The following expenses are not included in our fixed fee:

- The cost of travelling to any court other than our local Caernarfon Court. Travel is charged at 50ppm plus VAT. (60ppm Inc. VAT)
- The cost of an expert report if needed to support the defence.
- Counsel or Expert fees
- Court fees
- Preparing more than one witness statement
- Obtaining witness statements, whether expert or other.
- Acting for you in an appeal.

### **Disbursements**

- Disbursements may be incurred in the handling of the matter for you.
- For motoring offences these will typically be Counsel's fees to provide advice or represent you at a hearing. If Counsel is required to be instructed a quotation for their services will be obtained from them and discussed with you before they are instructed to ensure you are fully aware of the fees that will be charged.

- The fees of a barrister vary depending on the experience of the advocate and their expertise. In our experience, the initial fee for a barrister and the first day of the hearing (known as the brief fee) will be in the region of £1,000 - £3,000 plus VAT (£1200 – £3600 Inc. VAT). Each subsequent day would be an additional £500 - £1,500 plus VAT (£600 - £1800 Inc. VAT).
- If you want a very experienced barrister, then the cost is likely to be more. You may also incur additional charges such as travel costs for us to attend meetings and hearings.

### **Stages of the Process**

The precise stages involved may vary according to the circumstances of your matter.

The key stages are based on the presumption that you have entered a guilty plea and have a date for your hearing and are as follows: -

- Meet your solicitor and instruct them to act for you
- Disclosure – we'll look at the prosecution evidence provided and advise you accordingly
- Witness statements – if needed and agreed.
- Liaison – we'll prepare you on what expect on the day of your hearing and discuss the sentencing options available to the court
- Preparatory work – according to your instructions
- At court – we'll attend court on the day and meet you before your case is called into court.
- The outcome – We'll discuss the outcome of the court hearing with you, and discuss further steps.

### **Timescales**

Most summary motoring offences are dealt with at the first hearing and usually within one month of the date of receipt of the postal requisition or the date of charge.

If you're entering a guilty plea, the case is often concluded at the first hearing. This might be adjourned (although usually for no more than four to six weeks) if a special reasons or exceptional hardship argument is to be heard and which therefore needs a separate listing.

If you're entering a not guilty plea, the case will be adjourned for a trial which usually takes place within three months.

Summary only motoring matters are considered of low priority by the court and are more likely to be adjourned if they are listed on a trial day with other higher priority trials.

### **Fee Earners**

**The following fee earners handle Driving Offences matters:**

Rhys Tudur is a Qualified Solicitor. Rhys qualified in 2017 and is experienced in all types of driving prosecution matters and has overall supervision of the department. You can view the full profile [here](#)

### **Questions**

If you have any questions relating to our services and our fees, please contact [Rhys Tudur](#)