
Fairbrother & Darlow

Solicitors

Court Representation

If you need to be represented in court for a criminal offence you can be represented in the following ways:

1. A Legal Aid Order

A Legal Aid Order covers representation by a solicitor and, if necessary, by a barrister in criminal cases. Legal Aid is usually not available to cover representation in connection with minor offences, such as most motoring offences.

To qualify for legal aid you must meet certain financial conditions. You will automatically meet these conditions if you are under 18, or if you are receiving Income Support, Income-Based Jobseeker's Allowance or the Guarantee Credit part of Pension Credit. Otherwise, your financial entitlement to legal aid depends upon your income and your outgoings, including the number of dependent children that you have.

If you do meet these financial conditions, you will usually get help with representation in a criminal case in as long as it is in the interests of justice that you are legally represented. This means, for example, if you are likely to go to prison or lose your job, if you are convicted.

2. Free advice and representation at the magistrates' court

If you did not receive legal advice before you appear in the Magistrates Court, you may be able to obtain free legal advice and representation by the Court Duty Solicitor on the day of the hearing. This does not apply to less serious cases, such as minor driving offences.

You do not have to meet any financial conditions to get free advice and representation at the Magistrates Court. The court staff will tell you how to find the Duty Solicitor.

3. Pay Privately

If you do not qualify for legal aid but wish to be represented in court you will be required to pay for this on a privately paying basis. If you would like to discuss the cost of being represented in court please contact us.

If you plead not guilty to an offence and are found not guilty, or your case does not proceed to trial, you may be able to apply for your legal fees to be paid by the Court Central Funds. Whether you should be entitled to have your costs reimbursed to you will be a decision for the court to make after your case has finished.

At Fairbrother and Darlow we believe that you have the right to the best legal advice and representation. For expert advice in criminal matters please contact us.