

**EXPLANATORY MEMORANDUM TO
THE CRIMINAL LEGAL AID (REMUNERATION) REGULATIONS 2013
2013 No. 435**

1. This explanatory memorandum has been prepared by the Ministry of Justice and is laid before Parliament by Command of Her Majesty.

2. Purpose of the Instrument

2.1 The Criminal Legal Aid (Remuneration) Regulations 2013 make provision about the payment of fees to persons who provide criminal legal aid under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 ("the Act").

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Context

4.1 This is one of a number of statutory instruments which implement Part 1 of the Act. These instruments will be laid in time to come into force on 1 April 2013.

5. Territorial Extent and Application

5.1 This instrument applies to England and Wales.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 The Act gives effect to the Government's policy position on Legal Aid. The Government considers that those who are accused of criminal offences should be able to benefit from publicly funded legal advice, assistance or representation when they cannot afford to pay for their own advice, assistance or representation, if the interests of justice require it.

7.2 Section 2(3) of the Act provides that the Lord Chancellor may, in regulations, make provision about the payment of remuneration by the Lord Chancellor to persons who provide services under arrangements made for the purposes of Part 1 of the Act. These Regulations exercise that power in relation to criminal legal aid.

7.3 These Regulations set out the procedures for litigators, advocates and experts to make claims in respect of various types of criminal legal aid work, and the fees to be

Criminoly Memorandum 2013

Caoimhe Nic Dhaibheid



Criminology Memorandum 2013:

Innovative Justice Hannah Graham, Rob White, 2014-07-17 This book showcases innovative justice initiatives from around the world which engage offenders practitioners and communities to reduce reoffending and support desistance and positive change It is groundbreaking in bringing together inspiring ideas and pioneering practices to analyse how justice done differently is making a difference The voices and experiences of the people at the forefront of these innovative initiatives are presented throughout the book including offenders corrections staff and directors the judiciary scientists and academics volunteers and community organisations Strengths based research methods are used to investigate and celebrate best practices and good news stories from the field The authors raise critical questions about what is considered innovative and effective for whom and in what context presenting their own conceptual approach for analysing innovation With initiatives drawn from diverse jurisdictions and cultures including the UK Europe Australia Asia the US and South America this book showcases original ideas and refreshing developments that have the potential to transform rehabilitation and reintegration practices The book's substance and style will resonate with practitioners students and academics across the interdisciplinary fields of criminology and criminal justice

Terrorist Histories Caoimhe Nic Dhaibheid, 2016-11-03 This book addresses provides a series of in depth portraits of men and women who have been labelled terrorists from the 19th 20th and 21st centuries Bridging historical methodologies and theoretical approaches to terrorism studies it seeks to contribute to the developing historicising of terrorism studies This is achieved principally through a prosopographical approach In the preponderance of detailed statistical and quantitative data on the practice of terrorism and political violence the individuals who participate in terrorist acts are often obscured While ideologies and organisations have attracted much scholarly interest less is known of the personal trajectories into political violence particularly from a historical perspective The focus on a relatively narrow cast of high profile terrorist villains to a large part driven by popular and media attention results in a somewhat skewed picture of equal value arguably is a more sustained reflection on the lives of lesser known individuals The book sits at the juncture between terrorism studies historical biography and ethnography It comprises case studies of ten individuals who have engaged in political violence in the nineteenth twentieth and twenty first centuries in a number of locations and with a variety of ideological motivations from Russian inflected anarchism to Islamist extremism Through detailed empirical research crucial themes in the study of terrorism and political violence are explored the diverse individual radicalisation pathways the question of disengagement and re engagement various counter terrorist and counter insurgency strategies adopted by governments and security forces and the changing nature and perception of terrorism over time Although not explicitly comparative a number of themes resonate between the case studies which will be drawn together in the conclusion to this book These include the role of migration in radicalisation the influence of radical family heritages the experience of imprisonment and the narratives which individuals construct to tell their own terrorist life stories

It also provides an historically grounded answer to one of the most contentious and heated debates in recent literature on terrorism studies what leads a person to turn to political violence In examining the life narratives of a diverse range of men and women who at some point embraced violence this book seeks to contribute to a growing understanding of the entire arc of a terrorist lifespan from radicalisation to mobilisation to disengagement and beyond This book will be of much interest to students of political violence terrorism studies security studies and politics in general

The Crime of All Crimes Nicole Rafter, 2016-03-29 Cambodia Rwanda Armenia Nazi Germany History remembers these places as the sites of unspeakable crimes against humanity and indisputably of genocide Yet throughout the twentieth century the world has seen many instances of violence committed by states against certain groups within their borders from the colonial ethnic cleansing the Germans committed against the Herero tribe in Africa to the Katyn Forest Massacre in which the Soviets shot over 20 000 Poles to anti communist mass murders in 1960s Indonesia Are mass crimes against humanity like these still genocide And how can an understanding of crime and criminals shed new light on how genocide the crime of all crimes transpires In *The Crime of All Crimes* criminologist Nicole Rafter takes an innovative approach to the study of genocide by comparing eight diverse genocides large scale and small well known and obscure through the lens of criminal behavior Rafter explores different models of genocidal activity reflecting on the popular use of the Holocaust as a model for genocide and ways in which other genocides conform to different patterns For instance Rafter questions the assumption that only ethnic groups are targeted for genocidal cleansing and she also urges that actions such as genocidal rape be considered alongside traditional instances of genocidal violence Further by examining the causes of genocide on different levels Rafter is able to construct profiles of typical victims and perpetrators and discuss means of preventing genocide in addition to delving into the social psychology of genocidal behavior and the ways in which genocides are brought to an end A sweeping and innovative investigation into the most tragic of events in the modern world *The Crime of All Crimes* will fundamentally change how we think about genocide in the present day

Policing Legitimacy Justin R. Ellis, 2021-07-31 This book critically analyses the impact of digital media technologies on police scandal Using an in depth analysis of a viral bystander video of police excessive force filmed at the 2013 Sydney Gay and Lesbian Mardi Gras Parade and uploaded to YouTube the book addresses the ways social media video sousveillance can shape operational and institutional police responses to police misconduct The volume features new research on the immediate and longer term impacts of social media generated police scandal on police legitimacy and accountability and responds to inherent questions of procedural justice It interrogates the technological political and legal frameworks that govern the relationships between the police and LGBTIQI communities in Australia and beyond through the social media test the police narratives created and contested through social media mainstream media and police media In doing so it considers the role of sexual citizenship discourse as a political economic and social organizing principle A comprehensive and interdisciplinary understanding of digital and queer criminology this is an essential read for

those working at the intersection of criminology and the digital society queer criminology and critical criminology *Emily Gets Her Gun* Emily Miller, 2013-09-03 In the wake of tragic shootings in Newtown and Aurora the anti gun lobby has launched a campaign of lies distortion misrepresentation and emotional manipulation that is breathtaking in its vitriol and its denial of basic facts Their goal is to take away our Second Amendment rights and then disarm law abiding Americans Emily Miller tells her personal story of how being a single female victim of a home invasion drove her to try to obtain a legally registered gun in Washington D C The narrative sometimes shocking other times hilarious in its absurdity gives the reader a real life understanding of how gun control laws only make it more difficult for honest law abiding people to get guns while violent crime continues to rise Using facts and newly uncovered research Miller exposes the schemes politicians on Capitol Hill in the White House and around the country are using to deny people their Second Amendment rights She exposes the myths that gun grabbers and liberal media use to get new laws passed that infringe on our right to keep and bear arms The gun rights debate isn't just about firearms It's about protecting a fundamental right that is enshrined in the U S Constitution It's about politicians who lie manipulate and outright break existing laws to get what they want It's about President Obama wanting a bigger federal government to control you Not just your guns you The fight for gun rights is the fight for freedom Emily Miller says stand up and fight back now because your Second Amendment will only be the first to go

Evidence-Based Policing Garth den Heyer, 2022-10-19 The volume aims to increase knowledge and understanding of how evidence based policing is being adopted and implemented by police agencies in the United States and whether it is affecting the agencies processes strategies community relationships and delivery of community oriented policing services This exploration is based on data drawn from the literature interviews and extensive field research that resulted in the case studies presented and discussed in the book The goal of this text will be to provide the reader with a thorough analysis of the concepts arguments and challenges facing evidence based policing The history of evidence based policing how evidence based practices are used in the health and social sectors and in the United Kingdom will be examined In addition reasonable options for improving the use of evidence based policing will be proposed Overall very practical policy implications will be outlined by a highly recognized professional who has considerable experience in policing and related research **Lessons**

from the States United States. Congress. House. Committee on the Judiciary. Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, 2014 **Policing the Borders Within** Ana Aliverti, 2021-06-25 Policing the Borders Within offers an in depth comprehensive exploration of the everyday working of inland border controls in Britain informed by extensive empirical material viewed through the lens of wide ranging interdisciplinary debates In particular this book examines afresh the relationship between policing borders and social order in terms of migration policing By charting this new landscape of everyday contemporary policing this book's main goal is to advance understanding of novel forms of law enforcement in a global age These new forms of collaboration direct attention to the way in which frontline enforcement

agents through their everyday work not only enforce the border but recreate it As the book argues the emphasis on borders and migration controls and the growing importance of it within inland policing is a symptom of the new demands and challenges facing the state in exercising authority in a fast moving interconnected world and its attempt to offer a semblance of order Such challenges result in practice of random capricious informal and arbitrary operation of power which relies on non rational elements to solve policing problems Through an ethnography of the worlds of police and immigration officers this book dissects the ethical political legal and social dilemmas and explores the tensions and contradictions of maintaining order in a deeply unequal globalized world The new impetus to police migration is an insightful entry point to understand law enforcement in a global age Non-Adversarial Justice Michael King,Arie Freiberg,Becky Batagol,Ross Hyams,2014-07-04 This book outlines key aspects of the use of non adversarial practices in the Australian justice system with reference to similar developments in the United States Canada New Zealand and the United Kingdom It examines in detail non adversarial theories and practices such as therapeutic jurisprudence restorative justice preventive law creative problem solving holistic law appropriate or alternative dispute resolution collaborative law problem oriented courts diversion programs indigenous courts coroners courts and managerial and administrative procedures *Hard Bargains* Mona Lynch,2016-11-01 The convergence of tough on crime politics stiffer sentencing laws and jurisdictional expansion in the 1970s and 1980s increased the powers of federal prosecutors in unprecedented ways In *Hard Bargains* social psychologist Mona Lynch investigates the increased power of these prosecutors in our age of mass incarceration Lynch documents how prosecutors use punitive federal drug laws to coerce guilty pleas and obtain long prison sentences for defendants particularly those who are African American and exposes deep injustices in the federal courts As a result of the War on Drugs the number of drug cases prosecuted each year in federal courts has increased fivefold since 1980 Lynch goes behind the scenes in three federal court districts and finds that federal prosecutors have considerable discretion in adjudicating these cases Federal drug laws are wielded differently in each district but with such force to overwhelm defendants ability to assert their rights For drug defendants with prior convictions the stakes are even higher since prosecutors can file charges that incur lengthy prison sentences including life in prison without parole Through extensive field research Lynch finds that prosecutors frequently use the threat of extremely severe sentences to compel defendants to plead guilty rather than go to trial and risk much harsher punishment Lynch also shows that the highly discretionary ways in which federal prosecutors work with law enforcement have led to significant racial disparities in federal courts For instance most federal charges for crack cocaine offenses are brought against African Americans even though whites are more likely to use crack In addition Latinos are increasingly entering the federal system as a result of aggressive immigration crackdowns that also target illicit drugs *Hard Bargains* provides an incisive and revealing look at how legal reforms over the last five decades have shifted excessive authority to federal prosecutors resulting in the erosion of defendants rights and extreme sentences for those convicted

Lynch proposes a broad overhaul of the federal criminal justice system to restore the balance of power and retreat from the punitive indulgences of the War on Drugs

Public Confidence in Criminal Justice Elizabeth R. Turner, 2017-12-04 In this book Liz Turner argues that survey methods have gained an unwarranted and unhealthy level of dominance when it comes to understanding how the public views the criminal justice system The focus on measuring public confidence in criminal justice by researchers politicians and criminal justice agencies has tended to prioritise the production of quantitative representations of general opinions at the expense of more specific qualitative or deliberative approaches This has occurred not due to any inherent methodological superiority of survey based approaches but due to the congruence of the survey based general measure of opinion with the prevailing neoliberal political tendency to engage with citizens as consumers By identifying the historical conditions on which contemporary knowledge claims rest and tracing the political power struggles out of which sprang the idea of public confidence in criminal justice as a real and measurable object Turner shows that things could be otherwise She also draws attention to the ways in which survey researchers have asserted their dominance over other approaches suppressing convincing claims by advocates of deliberative methods that a better politics of crime and justice is possible Ultimately Turner concludes researchers need to be more upfront about their political objectives and more alert to the political responsibilities that go along with the making of knowledge claims Providing a provocative critique of the dominant approaches to measuring public confidence this timely study will be of special interest to scholars of the criminal justice system research methods and British politics

The Practice of Correctional Psychology Marguerite Ternes, Philip R. Magaletta, Marc W. Patry, 2018-11-24 This highly accessible volume tours the competencies and challenges relating to contemporary mental health service delivery in correctional settings Balancing the general and specific knowledge needed for conducting effective therapy in jails and prisons leading experts present eclectic theoretical models current statistics diagnostic information and frontline wisdom Evidence based practices are detailed for mental health assessment treatment and management of inmates including specialized populations women youth and offenders with specific pathologies sexual offenders psychopaths And readers are reminded that correctional psychology is in an evolutionary state adapting to the diverse needs of populations and practitioners in the context of reducing further offending Included in the coverage Assessing and treating offenders with mental illness Substance use disorders in correctional populations Assessing and treating offenders with intellectual disabilities Assessing and treating those who have committed sexual offenses Self harm suicidality in corrections Correctional staff The issue of job stress The Practice of Correctional Psychology will be of major interest to psychologists social workers and master's level clinicians and students who work in correctional institutions and settings with offenders on parole or probation as well as other professionals within the correctional system who work directly with offenders such as probation officers parole officers program officers and corrections officers

Corruption in the Global Era Lorenzo Pasculli, Nicholas Ryder, 2019-03-05 Corruption is a

globalising phenomenon Not only is it rapidly expanding globally but more significantly its causes its means and forms of perpetration and its effects are more and more rooted in the many developments of globalisation The Panama Papers the FIFA scandals and the Petrobras case in Brazil are just a few examples of the rapid and alarming globalisation of corrupt practices in recent years The lack of empirical evidence on corrupt schemes and a still imperfect dialogue between different disciplinary areas and between academic and practitioners hinder our knowledge of corruption as a global phenomenon and slow down the adoption of appropriate policy responses Corruption in the Global Era seeks to establish an interdisciplinary dialogue between theory and practice and between different disciplines and to provide a better understanding of the multifaceted aspects of corruption as a global phenomenon This book gathers top experts across various fields of both the academic and the professional world including criminology economics finance journalism law legal ethics and philosophy of law to analyze the causes and the forms of manifestation of corruption in the global context and in various sectors sports health care finance the press etc from the most disparate perspectives The theoretical frameworks elaborated by academics are here complemented by precious insider accounts on corruption in different areas such as banking and finance and the press The expanding links between corrupt practices and other global crimes such as money laundering fraud and human trafficking are also explored This book is an important resource to researchers academics and students in the fields of law criminology sociology economics and ethics as well as professionals particularly solicitors barristers businessmen and public servants

Assessing the Harms of Crime Victoria A. Greenfield, Letizia Paoli, 2022-04-28 Assessing the Harms of Crime provides a firm analytical foundation for making normative decisions about criminal and related policy taking harm and its reduction as a conceptual starting point and supplying the means for systematic empirical analysis in a harm assessment framework By exploring harm s place in legal history theory criminology and related fields and by considering the relevance of harm and its reduction for both criminal policy and the governance of security the book demonstrates the centrality of harm including its reduction to crime policy and governance It also highlights a substantial gap in methods available to the policy community to take on harm and the challenges of developing them Working to fill that gap the book presents the authors Harm Assessment Framework consisting of tools and a process to identify evaluate and rank harms and to carefully distinguish between harms that result directly from activities and those that are remote or driven at least partially by policy The book also presents applications to complex crimes primarily involving coca and cocaine that show the framework s value with new actionable insight to harm and policy On this basis the book argues that criminology would benefit from expanding its mission to include harm and target harm reduction and from positioning harm assessment as a core task Lastly it posits that systematic empirical harm based policy analysis can contribute positively to decisions about criminal policy and the governance of security and to advancing justice

Big Data, Crime and Social Control Aleš Završnik, 2017-09-20 From predictive policing to self surveillance to private security the potential uses to of big data in crime control pose serious legal

and ethical challenges relating to privacy discrimination and the presumption of innocence The book is about the impacts of the use of big data analytics on social and crime control and on fundamental liberties Drawing on research from Europe and the US this book identifies the various ways in which law and ethics intersect with the application of big data in social and crime control considers potential challenges to human rights and democracy and recommends regulatory solutions and best practice This book focuses on changes in knowledge production and the manifold sites of contemporary surveillance ranging from self surveillance to corporate and state surveillance It tackles the implications of big data and predictive algorithmic analytics for social justice social equality and social power concepts at the very core of crime and social control This book will be of interest to scholars and students of criminology sociology politics and socio legal studies Coalition Government Penal Policy 2010-2015 David Skinns, 2016-07-12 This book shows how the overall impact of the penal policy agenda of the Coalition Government 2010-2015 has not led to the intended rehabilitation revolution but austerity outsourcing and punishment designated here as punitive managerialism The policy of austerity has led to significant budget cuts in legal aid and court services which threaten justice It has also led to staffing reductions and overcrowding in the prison system which threaten order and have undermined more positive work with prisoners The outsourcing of prison and community based offender services is based on untried method with uncertain results The shift in orientation towards punishment is regrettable because it is essentially negative The book notes that this move to punitive managerialism is located in the broader trend towards neo liberalism It concludes by attempting to articulate the parameters of an affordable and emotionally satisfying yet humane and rational penal policy **Hot Tickets** H. George Frederickson, 2019-11-06 In 2010 University of Kansas officials were shocked to learn that the FBI and IRS were on campus investigating Rodney Jones former head of the Athletics Ticket Office for stealing Jayhawks basketball tickets and selling them to brokers Investigators found that for more than five years Jones and a small ring of university officials had conspired to loot the university of 2 million in tickets reselling them for 3.5 million In what was perhaps the biggest scandal in college sports history all seven members of the Kansas Ticket Gang pleaded guilty to RICO Act indictments Five went to prison two were given probation for turning state's evidence **Routledge Handbook of Deradicalisation and Disengagement** Stig Jarle Hansen, Stian Lid, 2020-02-18 The Routledge Handbook of Deradicalisation and Disengagement offers an overview of the historical settings theoretical debates national approaches and practical strategies to deradicalisation and disengagement Radicalisation and violent extremism are major global challenges and as new and violent extremist groups and environments emerge there is an increasing need for knowledge about how individuals physically exit these movements and how to change their mindset Historically much of the focus on these topics has been highly securitised and militarised by contrast this volume explores the need for more community based and soft approaches The handbook includes discussions from both right wing left wing political and religiously inspired deradicalisation processes The handbook is organised into three parts 1 definitions

backgrounds and theories 2 actors 3 regional case studies This handbook will be of much interest to students researchers scholars and professionals of deradicalisation counterterrorism political violence political extremism security studies and international relations in general

Crisis Lawyering Ray Brescia, Eric K. Stern, 2024-09-03 Shines a light on the emerging field of law dedicated to responding to and resolving the crises of the twenty first century In an increasingly globalized world a complex and interlocking web of nations governments non state actors laws and rules affect human behavior When crisis hits whether that be extrajudicial detention unprompted deportation pandemics or natural disasters lawyers are increasingly among the first responders equipped with the knowledge necessary to navigate the regulations of this ever more complex world *Crisis Lawyering* explores this phenomenon and attempts to identify and define what it means to engage in the practice of law in crisis situations In so doing it hopes to sketch out the contours of the emerging field of crisis lawyering Contributors to this volume explore cases surrounding domestic violence dealing with immigrants in detention and banned from travel policing in Ferguson Missouri the kidnapping of journalists and climate change among other crises Their analysis not only serves as guidance to lawyers in such situations but also helps others who deal with crises understand those crises and the role of lawyers in them better so that they may respond to them more effectively efficiently collaboratively and creatively *Crisis Lawyering* shines a light on the emerging field of law dedicated to responding to and resolving the complex crises of the twenty first century

Extraordinary Rendition Elspeth Guild, Didier Bigo, Mark Gibney, 2018-04-17 The US led programme of extraordinary rendition created profound challenges for the international system of human rights protection and rule of law This book examines the efforts of authorities in Europe and the US to re establish rule of law and respect for human rights through the investigation of the program and its outcomes The contributions to this volume examine the supranational and national inquiries into the US CIA led extraordinary rendition and secret detention programme in Europe The book takes as a starting point two recent and far reaching developments in delivering accountability and establishing the truth First the publication of the executive summary of the US Senate Intelligence Committee Feinstein Report and second various European Court of Human Rights judgments regarding the complicity of several state parties and the incompatibility of those actions with the European Convention of Human Rights and Fundamental Freedoms ECHR The collective volume provides the first stock taking review of the state of affairs in the quest for accountability and identifies significant obstacles in going even further as international law demands It will be vital reading for students and scholars in a wide range of areas including international relations international law public policy and counter terrorism studies

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Table of Contents Criminoly Memorandum 2013

1. Understanding the eBook Criminoly Memorandum 2013
 - The Rise of Digital Reading Criminoly Memorandum 2013
 - Advantages of eBooks Over Traditional Books
2. Identifying Criminoly Memorandum 2013
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Criminoly Memorandum 2013
 - User-Friendly Interface
4. Exploring eBook Recommendations from Criminoly Memorandum 2013
 - Personalized Recommendations
 - Criminoly Memorandum 2013 User Reviews and Ratings
 - Criminoly Memorandum 2013 and Bestseller Lists
5. Accessing Criminoly Memorandum 2013 Free and Paid eBooks
 - Criminoly Memorandum 2013 Public Domain eBooks
 - Criminoly Memorandum 2013 eBook Subscription Services

- Criminoly Memorandum 2013 Budget-Friendly Options
- 6. Navigating Criminoly Memorandum 2013 eBook Formats
 - ePub, PDF, MOBI, and More
 - Criminoly Memorandum 2013 Compatibility with Devices
 - Criminoly Memorandum 2013 Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Criminoly Memorandum 2013
 - Highlighting and Note-Taking Criminoly Memorandum 2013
 - Interactive Elements Criminoly Memorandum 2013
- 8. Staying Engaged with Criminoly Memorandum 2013
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Criminoly Memorandum 2013
- 9. Balancing eBooks and Physical Books Criminoly Memorandum 2013
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Criminoly Memorandum 2013
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Criminoly Memorandum 2013
 - Setting Reading Goals Criminoly Memorandum 2013
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Criminoly Memorandum 2013
 - Fact-Checking eBook Content of Criminoly Memorandum 2013
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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