

DIRECTION NO. 2 OF 2025

**GIVEN UNDER THE MAGISTRATES' COURTS AND COUNTY COURT APPEALS
(CRIMINAL LEGAL AID) (COSTS) RULES (NORTHERN IRELAND) 2009**

**INTERIM PAYMENTS OF DISBURSEMENTS IN CRIMINAL CASES IN THE
MAGISTRATES' COURTS AND COUNTY COURTS**

1. The Department of Justice hereby directs under rule 5(1) of the Magistrates' Courts and County Court Appeals (Criminal Legal Aid) (Costs) Rules (Northern Ireland) 2009, as amended ("the 2009 Rules") that, subject to paragraphs 2 to 6 below, the Legal Services Agency ("the Agency") may assess any application submitted in accordance with this Direction.
2. This Direction applies for the determination of costs which are payable in respect of work done under a criminal aid certificate granted under Article 28, 28A or 30 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 on or after 1st December 2024.
3. This Direction revokes the provisions in respect of disbursements in paragraphs 2(a), 7 and 8 of Direction No. 4 of 2017. This Direction authorises the Agency to allow interim payment of disbursements.
4. The Agency may authorise a claim for payment of disbursements where liability appears to have been reasonably and actually incurred and –
 - a. the disbursement(s) falls within any guidance issued by the Agency in respect of criminal proceedings in the Magistrates' Court, or the representative has obtained prior authority from the Agency to incur the expenditure;
 - b. the total liability for such disbursement(s) exceeds £250; and

- c. the assisted person's representative has provided the Agency with copies of vouching documentation for the disbursements being claimed.
5. A claim for payment of disbursements shall not exceed £3,500 or the maximum fee authorised under the prior authority, whichever is greater.
6. There is no requirement for the solicitor to have discharged the liability before making a claim for interim payment of disbursements.
7. A claim for a disbursement may be made at any time before the solicitor submits a claim for costs under Rule 6 of 2009 Rules.
8. Solicitors must submit evidence of the payment of the disbursement to the third party when submitting their claim at the end of the case to enable the Agency to adhere to the requirements of Rule 7 of the 2009 Rules.



NAOMI LONG MLA
MINISTER OF JUSTICE
12 December 2025