

# THB Solicitors

## Information for clients: Motoring Offences

### Introduction

We are required by the SRA to provide price information for assistance regarding motoring offences dealt with in the magistrates courts. We aim to ensure that anyone wishing to use our services has the information they need to make an informed choice of legal services provider, including understanding what the costs may be and the level of service offered.

### Why instruct THB Solicitors?

From our offices located across Essex and East Anglia THB Solicitors provides the very best advice and representation in all matters relating to motoring offences and the preservation of an individuals driving licence.

We have a huge amount of experience in advising and representing people accused of offences ranging from Speeding to Causing Death by Dangerous Driving and other road fatality incidents. Our proven track record in helping people keep their licenses has enabled us to build a strong reputation in this complicated area of law. We will fight for you where others may not and unlike many national firms specialising in motoring matters we will offer our services internally and will not refer work to self-employed agents. We will allocate you a specialist lawyer who will be available to you throughout the process.

### Road Traffic Offences

#### Our Fees

Wherever possible we will always seek to offer clarity and certainty in respect of professional fees. If at all possible a Fixed Fee approach will be adopted allowing for the client to accurately assess their fee position. However on occasions there may be a number of factors that determine an hourly rate approach and this will then be affected by the level of experience and seniority of the lawyer dealing with your matter.

#### Matters funded on a fixed fee basis

Please note that each case is different and we will always provide you with a quotation tailored to your requirements. As a guide, we have provided an indication of our costs below.

| <b>Role</b>                       | <b>Fixed Fee<br/>(excl. VAT)</b> | <b>Fixed Fee<br/>(incl. VAT)</b> |
|-----------------------------------|----------------------------------|----------------------------------|
| Initial 30 minute Consultation    | £125                             | £150                             |
| Representations to the CPS/ Court | £500                             | £600                             |

|   |       |       |
|---|-------|-------|
| Minimum first appearance fee  | £750  | £900  |
| Guilty Plea with mitigation resolved on first appearance at Magistrates court | £900  | £1080 |
| Guilty Plea where additional second appearance required                       | £1250 | £1500 |
| Not Guilty Trial half Day   | £1500 | £1800 |
| Not Guilty Trial full Day   | £2000 | £2400 |
| Additional Trial day listings   | £1000 | £1200 |
| Exceptional Hardship / Special Reasons arguments                              | £1500 | £1800 |

In addition to the Fixed Fees incurred there will be reasonable disbursements such as travel costs and travel time. Following discussions with yourself there may be the instruction of expert witnesses or specialist counsel and these costs will be in addition to the fees outlined but will be explained fully should that scenario arise.

‘Special Reasons’ pertain exclusively to situations where the accused has been found or has pled guilty and now faces disqualification unless he/she can persuade the Court that the circumstances of the offence are such that it would be unjust to impose a ban.

An ‘Exceptional Hardship’ hearing is where the accused has been found or has pled guilty and now faces disqualification unless they can persuade the Court that a disqualification would cause them or others exceptional hardship

### **Matters funded on an hourly rates basis**

| <b>Role</b>                               | <b>Hourly rates (excl. VAT)</b> | <b>Hourly rates (incl. VAT)</b> |
|---|---------------------------------|---------------------------------|
| Head of Department                        | £300 per hr                     | £360 per hr                     |
| Partner                                   | £280 per hr                     | £336 per hr                     |
| Associate/Solicitor > 8 years’ experience | £225 per hr                     | £270 per hr                     |
| Assistant Solicitor > 4 years’ experience | £200 per hr                     | £240 per hr                     |
| Assistant Solicitor < 4 years’ experience | £180 per hr                     | £216 per hr                     |
| Trainee Solicitor / Paralegal             | £150 per hr                     | £180 per hr                     |

Before embarking on work based on an hourly rate approach a detailed costs estimate and comprehensive breakdown of all charging rates will be provided.

### **What is included?**

- Attendance and/or preparation;
- Considering evidence;
- Taking your instructions;
- Providing advice on outcome likely sentence;

### **What is not included?**

- Instruction of any expert witnesses;
- Taking statements from any witnesses;

- Advice or assistance in relation to any appeal.

## **Key stages**

The key stages of your matter are based on the presumption that you have entered a guilty plea and have a date for hearing. They typically include:

- Meet with you to provide instructions on what has occurred;
- Considering initial disclosure, and any other evidence and provide advice thereon;
- Arranging to take any witness statements, if necessary (this will have an additional cost being the applicable hourly rate of the lawyer undertaking that work eg it may be a task allocated to a more junior fee earner)
- Explain the court procedure to you so you know what to expect on the day of your hearing, and the sentencing options available to the Court;
- Conduct any further preparatory work, obtain further instructions from you, if necessary, and answer any queries you have;
- Attend court on the day, meet with you before going before the court. We anticipate being at court for up to several hours depending on how busy the court list might be.
- Discuss the outcome with you and advise you if necessary on your options for appeal against sentence or conviction.

## **How long will my case take?**

Please note we cannot provide a more exact timescale of when your hearing will take place, as this depends on the court listing for that day.

## **Our Motoring Offences Team**

### **Mike Warren, Partner and Head of Crime Dept**

Mike qualified as a Solicitor in 1994 and has over 28 years' experience of criminal defence and regulatory work. Mike is regularly instructed to deal with privately instructed work where clients are facing motoring offences which place their driving licence in jeopardy. Mike was among the very first Solicitors to obtain Higher Rights of Audience and regularly conducts his own advocacy in the Crown Court and Court of Appeal.

Aside from his casework responsibilities Mike is the COLP and COFA at THB.

### **Gavin Burrell, Partner**

Gavin is the Partner responsible for our Braintree office. Gavin's practice includes all forms of criminal cases although he specialises in Crown Court work often involving serious allegations including homicides, offences of serious violence, sexual offences and fraud. In his role as a Solicitor Advocate Gavin is able to both prepare cases for

trial and also defend those cases at trial using his Higher Rights of Audience. Clients are often pleased to have continuity of service with Gavin's work preparing cases and representing those clients in the role of an advocate at court.

### **Roger Neild, Partner**

Roger is a Partner with responsibility for the Chelmsford team and has vast experience of the magistrates court system and is particularly adept at dealing with all motoring offences.

### **Shade Abiodun, Partner**

Shade is the Partner responsible for our Ipswich office. Shade deals with deals with all aspects of criminal defence and road traffic law. Be it magistrates court or crown court Shade is an extremely skilled advocate who provides total commitment to each case she deals with.

### **Joanna Barham Associate**

Joanna is a highly respected solicitor who has been practising in the courts of Essex for over 20 years. Her vast experience and persuasive style of advocacy is very well suited to the highly personal challenges that Road Traffic Offences provide.

**Last update:** January 2023