

COVID-19 Claiming the Police Station Attendance Fixed Fee

File Note

In ordinary circumstances a physical attendance at the police station is required to trigger a police station fixed fee. In almost all cases this will mean attending for, and advising throughout, an interview between police and client.

In light of current events the LAA has issued the following guidance:

“Providers are still required to provide advice and assistance to clients in custody suites.

Depending on local police practices and their own health concerns, you may not be able to physically attend on those clients.

Should an attendance be made by other means (phone or video), either because of a police force’s contingency arrangements or because current Government safeguarding guidelines mean you cannot physically, you can claim the Police Station Attendance Fixed Fee appropriate to the location.

A file note should be kept as to the circumstances of the arrangements, confirming both the police and the client were happy to proceed without a physical attendance.

Providers should claim as usual for the Telephone Advice Fixed Fee as appropriate, but they should not claim for Telephone Advice Fixed Fee and the Police Station Attendance Fixed Fee for the same matter. A DSCC Reference Number will also be required as normal.”

In order to claim the fee, providers should be able to certify as follows:

Advice and assistance going beyond usual telephone advice was provided. Namely:

Substantial advice to client about their detention

Pre-interview disclosure

Pre-interview advice to client

Advice to client throughout the interview process

That both police and client consented to advice being given via telephone/video/combination.

Further note¹:

If advice was NOT provided throughout the interview process, please justify why the case was not returned to the DSCC:

¹ The LAA is not intending to convert ‘normal’ telephone advice into a PSAFF, and would expect all advice and assistance that would usually be provided in person, to be provided remotely. Therefore, where advice and assistance is not given throughout the interview process, it is the author’s view that a claim for a PSAFF will be difficult if not impossible to justify. Regrettably the LAAs advice is silent on this issue. [Updated: 30/03/2020]