

# ENHANCEMENTS

## The Threshold Test: At Least One of the Following Must Be Met

1

Work was done with exceptional Competence, skill or expertise:

### Potential Factor

Demonstrating unusually detailed knowledge relevant to the case

Pursuing an unusual or difficult legal argument

Carrying out the case in a way that required less time than a reasonable fee earner

Conducting the case in a way that achieved a better result than usually expected

Unusual skill in pursuing or defending a case and/or identifying a particularly effective tactic on behalf of the client

Taking instructions and providing effective representation for a client who is a child, seriously mentally ill, or otherwise very vulnerable

2

Work was carried out with exceptional speed:

### Potential Factor

Obtaining with unusual speed re-housing, community care support, receipt of welfare benefits, an injunction, release from mental health detention or other resolution of the client's problem

Substantial work done at short notice because of urgent deadlines, such as proposed deportation or dispersal or injunction hearings where the client is a defendant

3

The case involved exceptional circumstances, novelty, weight or complexity:

### Potential Factor

May relate to legal issues, questions of expert evidence or other evidential issues

Seeking or challenging witness evidence in possession proceedings based on allegation of nuisance

Difficulty in taking instructions from the client or other witnesses

A case involving significant out of hours work may also be considered to fall under this limb

The nature of the issues as they affect the client, such as liberty, right to remain in the country, the roof over their head, addressing domestic violence or avoiding destitution

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## Factors Taken Into Account When Calculating the Level of Enhancement

### Degree of Responsibility:

Potential Factor
The extent to which the provider has carried out the work without recourse to counsel, whether in relation to analysis and planning of the case, drafting or advocacy
Fee earner identifying or addressing evidential issues that might otherwise have incurred the time of an expert

### Care, speed and economy:

Potential Factor
<b>Care:</b> The skill with which the fee earner has carried out the work, and care with which they have dealt with a vulnerable client
<b>Speed:</b> same considerations as under the 'exceptional speed' limb of the threshold test
<b>Efficiency:</b> claiming less time or less in disbursements than might have otherwise been expected

### Novelty, weight and complexity:

Potential Factor
<b>Novelty:</b> novel point of law or legal context
<b>Weight:</b> volume of documentation, number of issues arising or importance of the case to the client
<b>Complexity:</b> same considerations as under the 'exceptional circumstances...' limb of the threshold test