



Legal Aid
Agency

Working with others to achieve excellence in the delivery of legal aid

Litigator Fee Scheme

Guide for litigators on Travel and Disbursement

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Advocate Travel

Travel expenses to Court are not allowed for any advocate that has an office within 40km of the Court.

Travel expenses to Court are allowed when a Court does not have a local Bar. However, travel is only allowed as if the advocate came from the nearest local Bar. In certain circumstances, an advocate may be allowed travel from outside the nearest Bar.

Examples of possible circumstances are:

1. Where an advocate has particular specialised knowledge or experience;
2. Where an advocate has previously been instructed to represent a defendant in related matters and continuing representation would assist the preparation and/or presentation of the case in question;
3. Where a case is transferred to the Court and it would assist the preparation and/or presentation to keep the same advocate;
4. Where the instruction of a local advocate may lead to suspicion of prejudice (e.g. cases of local notoriety involving public figures or officials).
5. Travel expenses to Court would not be justified solely on the following grounds:
 - Where instructing solicitors normally chose to instruct a particular set of chambers or individual advocate;
 - Where the defendant had specifically asked for the advocate in question;
 - Where the advocate had acted for the defendant in an unrelated case of no relevance to the case in question.
6. **Travel and other expenses are disbursements not allowances. Rail tickets or other written proof must be provided for all disbursements over £20.**

Local Bar

<https://www.gov.uk/government/publications/graduate-fee-travel-expenses>

Please use the link above for local bar rates and mileage allowances.

All hotel claims must be supported by Hotel Invoices where a breakdown of the rates claimed is shown.

All subsistence claims must be supported with receipts which show a breakdown on the items you are claiming for.

For any claims where there is no local bar, Prior Approval should be attached to the claim – if Prior Approval is not attached, justification as to why the claim is being submitted should be attached.

Please provide the post code you are traveling from and to for claims where there is no local bar.

Prior Approval

Both litigators and advocates may apply to the LAA for permission to incur travelling and *Regulations* accommodation costs, which the LAA has labelled 'Prior Approval'. 13(3)

Before applying for Prior Approval, advocates must consider paragraph 2.29, Non-Local *Regulation* appearances. Applications for Prior Approval must be made by email and include a full explanation for incurring the costs. For example, if it is on the basis of specialised knowledge or experience, a copy of the indictment and details of the relevant expertise must be supplied.

Prior Approval requests should be emailed with the subject heading, 'Crown Court Travel Prior Approval', to:

<mailto:crime.queries@justice.gov.uk>



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Where we have holders concerned.

