



Legal Aid
Agency

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Litigator Fee Scheme

Guide for litigators on Travel and Disbursement

December 2020



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Litigator Travel and Disbursements – The Assessment Process

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

Providers can claim for reasonable disbursements and travel. Generally, the provider is expected to justify their disbursements and expenses.

Disbursements with CRM4 prior authority

Where a provider has claimed a disbursement and has provided a CRM4 prior authority. The prior authority serves as justification for the disbursement. We can allow the rate of pay and amount hours granted on the prior authority. The amount granted on the prior authority is always exclusive of VAT and we can allow VAT on top of it.

If the amount or rates claimed on the invoice exceeds the amount of the prior authority the provider should provide justification for the excess.

The CRM4 will generally include travel time but not mileage. If travel time has been granted, we would also pay the experts mileage as claimed on the invoice.

Disbursements without Prior Authority

Where a provider claims a disbursement but does not have a CRM4 prior authority they will need to provide justification for the disbursement.

If the disbursement is reasonable considering the justification provided than it can be paid within standard rates.

Prior authority will not be granted for a disbursement of under £100 but justification will still need to be provided

Medical Records

Since May 2018, Providers can obtain GP records for the defendant free as a subject access request as per GDPR.

If the GP charges a nominal administration fee, this is not payable as comes within office overhead costs

Medical Reports

Providers can claim for obtaining GP reports on the records for the defendants.

If the GP simply provided the medical records this would not be payable as the information already existed. However, if the invoice refers to a medical report then this suggests the GP has had to create a new document and therefore we could pay this disbursement

All medical reports should show defendant details and a breakdown of the hourly rate being claimed

Travel and Prior Approval

Only litigators may apply for Prior Authority to incur certain expenses, such as reports from experts and transcripts as per regulation 13, and may apply to the Prior Authority Team Regulation 13(1) .

Both litigators and advocates may apply to the LAA for permission to incur travelling and accommodation costs, which the LAA has labelled 'Prior Approval'. Regulations13(3)

Before applying for Prior Approval, advocates must consider paragraph 2.29, Non-Local 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

- crime.queries@justice.gov.uk

Travel and Expenses – Mileage

Mileage can either be claimed at public rate of 25p per mile or private rate of 45p per mile. Where private rate has been claimed justification must be provided.

The exceptions to the requirement for justification are Magistrates' Court and Prison travel.

Mileage to Magistrates' Court

This is paid as standard at 45p per mile.

However, we do not pay for travel to Magistrates' Court on S or A case numbers.

Travel – Hotel and subsistence

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.



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Where we have holders concerned.

