



# Application for legal costs from central funds

## Barrister Direct Public Access

**Protect – Personal**

**1** Date of warrant, requisition, summons or Date of service of a Notice of Appeal

**2** The Court hearing the proceedings

**3** The Case Number or Libra Number

**4** Names of defendants on the costs order

**5** Date of the costs order (enclose this)

**6** Name and address of the applicant

**7** Name of the barrister instructed under Direct Public Access

**8** Barrister's VAT number

**9** Barrister clerk's telephone number

**Use this form**

to claim costs from central funds in proceedings that commenced on or after the 1st October 2012, and where you have instructed a barrister under the Direct Public Access provisions – that is, you have **not** instructed a litigator (a solicitor).

If you want to claim costs which relate to: proceedings which commenced before the 1st October 2012

**or** the instruction of a litigator and advocate, use other forms available at the Criminal Cases Unit web page on [GOV.UK](http://GOV.UK)

**Warning**

You must make your application within 3 months from the date that you enter at **5** (see **21**).

**When you complete the form**

you must answer, or comply with, **1** to **18**, and **21** (and ensure your barrister completes **19** and **20** if these questions apply – see **18**). If you do not, or if you do not send with this form the documents that you tick at **17**, the Criminal Cases Unit (CCU) may reject the application [Costs in Criminal Cases (General) Regulation 1986 6(2)].

If you do not claim at **11**, **12**, **13** or **14**, tick the box 'No claim' for the question.

**Guidance**

You will find guidance on central funds' costs in:

- Prosecution of Offences Act 1985
- Legal Aid, Sentencing and Punishment of Offenders Act 2012
- Costs in Criminal Cases (General) Regulations 1986
- 'Guidance in respect of defendant's costs orders made in proceedings that commence on or after 1st October 2012' (the 'Guidance Document'),  
**and**  
'Calculation of amounts payable in respect of legal costs under defendant's costs orders' (the 'Calculation of Legal Costs Document').

→ continued on page 2



**12 Disbursements** (including or not liable to VAT, please specify)..... No claim

- Disbursements include: fees for expert reports, enquiry agents' fees, copying, couriers and the use of 'legal facility' firms. You must provide the invoices and expert reports (see box 9 at 17).
- Refer to Part 4 of the 'Calculation of Legal Costs Document' (see 'Guidance' on page 1).

Date: list as at 11	Specify disbursement	Sum (£) claimed	CCU use
Total £			

**The Crown Court: claims for costs**

**13 Barrister's fees**.....

- For all claims, you must provide the fee notes (see box 5 at 17).
- Barristers' fees in the Crown Court are either:
  - Fixed fees** - Schedule 1, Part 5, paragraphs 20(1), 20(2) and 20(3) of 'The Criminal Legal Aid (Remuneration) Regulations 2013'.
  - or Non-Fixed fees** - Schedule 1, Part 5, paragraphs 20(4) and 20(5) of 'The Criminal Legal Aid (Remuneration) Regulations 2013'.
 For non-fixed fees, you must provide a case assessment and schedule of work done by the barrister (see box 6 at 17).

In your claims (below), show a **Fixed fee** as fee type **F** and a **Non-Fixed fee** as fee type **NF**.

A 'standard appearance fee' - Schedule 1, Part 1, paragraph 1 'The Criminal Legal Aid (Remuneration) Regulations 2013' is an additional fee. Show this fee as a separate item (see Schedule 1, Part 5, paragraphs 20(4) and 20(5) 'The Criminal Legal Aid (Remuneration) Regulations 2013'.

Date: list as at 11	Specify work undertaken by the barrister	Fee type (F or NF)	Sum (£) claimed	VAT claimed	CCU use Sum	CCU use VAT
Total £						

**14 Disbursements** (including or not liable to VAT, please specify).....No claim

- You must provide the invoices and experts' reports (see box 9 at **17**).
- Refer to Part 4 of the 'Calculation of Legal Costs Document' (see 'Guidance' on page 1).

Date: list as at 11	Specify disbursement	Sum (£) claimed	Sum allowed
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total £		<input type="text"/>	<input type="text"/>

**15 Summary of claims**

		Sum claimed (£)	CCU: Sum allowed
<b>15.1</b>	<b>Magistrates' Court (totals for 11 and 12)</b>		
	Barrister's fees excluding VAT	<input type="text"/>	<input type="text"/>
	VAT	<input type="text"/>	<input type="text"/>
	Disbursements (including or not liable to VAT)	<input type="text"/>	<input type="text"/>
	Total claim for magistrates' court	<input type="text"/>	<input type="text"/>
<b>15.2</b>	<b>The Crown Court (totals for 13 and 14)</b>		
	Barrister's fees excluding VAT	<input type="text"/>	<input type="text"/>
	VAT	<input type="text"/>	<input type="text"/>
	Disbursements (including or not liable to VAT)	<input type="text"/>	<input type="text"/>
	Total claim for Crown Court	<input type="text"/>	<input type="text"/>
<b>15.3</b>	<b>Both courts (total of summaries 15.1 and 15.2)</b>		
	Total barrister fees excluding VAT	<input type="text"/>	<input type="text"/>
	Total VAT	<input type="text"/>	<input type="text"/>
	Total disbursements (including or not liable to VAT)	<input type="text"/>	<input type="text"/>
	Total costs claimed (when costs are in both courts)	<input type="text"/>	<input type="text"/>

## Certifying the application

### 16 Certificate by the applicant

- Applicants should be aware that Legal Aid Agency is entitled to look behind all claims to establish their authenticity. Legal Aid Agency will instigate proceedings on claims found to be false, inaccurate or misleading.

Choose either box 1 or box 2 **or** box 1 and box 2, and tick the box(es):

I certify that I instructed the barrister to conduct:

- 1  Advocacy  
2  Litigation

Choose either box 1 or box 2, and tick the box:

- 1  I certify that no claim has been made, and no claim will be made, for payment in respect of services funded for me as part of the Criminal Defence Service in connection with these proceedings.
- 2  I attach full particulars, including the date and outcome, of any claim for payment in respect of services funded for me as part of the Criminal Defence Service in connection with these proceedings.

I certify that this claim is correct, and that the costs claimed from central funds do not exceed the costs I have actually incurred.

Signed by the applicant

Date of application

## Checklist of documents

- 17
- A complete application requires documents to be provided with this form.
  - Tick the boxes to confirm the documents which you will provide. If you intend to provide a document but the barrister has it, do not tick the box at this time (see **20** and **21**). Attach supporting documents to the claim form.
- 1  a copy of the costs order made by the court.
- 2  the warrant of arrest; requisition or summons requiring attendance at court; or Notice of Appeal (any of these documents should be endorsed with the date of service).
- 3  a copy of the barrister's written agreement to act, any amendments, and any estimates of costs given in accordance with rule 6 of the Public Access Rules.
- 4  a copy of any instructions given to the barrister, and any other correspondence with the barrister.
- 5  a copy of any interim and final fee notes received from the barrister, whether paid or not.
- 6  a copy of the case assessment and schedule of work done, kept by the barrister in accordance with rule 9 of the Public Access Rules.
- 7  a copy of any notes of advice given in conference or by telephone, or by any other means, retained in accordance with rule 10 of the Public Access Rules.
- 8  any proofs of evidence, advices or any other documents prepared by the barrister.
- 9  invoices for all disbursements together with copies of any expert reports.
- 10  the barrister's taxation note in accordance with **10** (and see **20**).
- 11  details to support **box 2** at **16**.

**18** If the barrister received your instructions before the 1st April 2013 (see **19**) or you require documents (see **20**), now send the form to the barrister. Otherwise, go to **21**.

### For completion by the barrister

**19** **Certificate by the barrister** (only if instructions were received before 1st April 2013)

- Before the 1st April 2013, different provisions of the Public Access Rules applied. If these older provisions apply, the Criminal Cases Unit requires you to complete this certificate. If you received instructions **on or after** 1st April 2013, do not complete this certificate.

I certify, in accordance with Rule 3(1) of the Public Access Rules (Annexe F2 of the Bar Code of Conduct), that the applicant would not be eligible for public funding in connection with these proceedings.

Signed by the barrister instructed  
in accordance with the Public Access Rules

Date

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- 20**
- Now return this form to the applicant.
  - If you have not already provided your taxation note, please include it.
  - Include any other document that is in the checklist at **17**, which you hold but which is not ticked (meaning that the applicant does not have the document).  
If you cannot provide such a document, please explain:

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### What to do next

- 21**
- If the barrister has provided any documents which are listed at 17, tick the box at 17.
  - Send the form and documents to the Criminal Cases Unit no later than 3 months from the date of the costs order (see 5).
  - Do not send prosecution statements, exhibits or other evidence.