



Legal Aid  
Agency

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

# Your Questions Help Us Say Yes Webinar:

## Criminal Cases Unit – Reducing central funds rejects

18 October 2022



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## Form Completion

**Q: In the section at the start of the form where percentage of costs is required, would that normally be given to the fee earner attending court (i.e., in their attendance notes) or can it be found on a particular court document?**

**A:**

The defendant can only claim costs back on the offences where they have been acquitted. Where a defendant is not acquitted of all offences they are charged with, this is a partial acquittal.

The court can either fix an amount of costs to be allowed (in which case the costs will be paid by them) or set a percentage of the assessed costs to be allowed. This should appear on page two of the defendants cost order (DCO). This page needs to be included when submitting a DCO.

If a percentage, or amount has not been set, you should refer to the court and they will issue an amended DCO. If a percentage is then set, your claim can be resubmitted to the Criminal Cases Unit.

**Q: What email address should a 5145 form be sent to?**

**A:** [manchesterCCU@justice.gov.uk](mailto:manchesterCCU@justice.gov.uk)

## Refused payments

**Q: We only have Grade A fee earners at our firm but are always refused payment for Grade A. Is there any way around this?**

**A:** Each case is determined on its own merits. The LAA will allow the hourly rate appropriate for the case and the work undertaken, considering relevant circumstances and representations. This may mean payment is made at a lower grade regardless of whether such a grade of fee earner is available to do the work.

If you are claiming '*Grade A*', you should provide detail as to why it was necessary for the case to be prepared / conducted by a grade A fee earner.

## Additional information

**Q: Are there any key points that caseworkers look for in the supporting information?**

**A:** It is important for you to give as much detail as you can to support the time you have claimed and the grade you have claimed. Caseworkers only have the information you provide on the form, plus your supporting documents, to assess the reasonableness of your claim.



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