



Legal Aid
Agency

Guidance on Forensic Science Laboratory Charges in Criminal Matters

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1	August 2014	August 2014	Service Development

Overview

This guidance sets out the LAA's position on the funding of forensic science laboratory charges in Criminal matters.

Remuneration Arrangements

Where appropriate, charges levied upon the defence by prosecution forensic science laboratories for provision of documentation to the defence expert and for allowing the expert access to their premises, equipment and staff may be payable by the LAA.

The LAA will only authorise payment where it considers the charge to be reasonably incurred and reasonable in value, and has granted prior authority to incur the cost.

The LAA will not pay for charges levied for the following activities:

- a) Forensic work undertaken by the prosecution at the request of the police in relation to evidence obtained by the police up to and including the preparation of reports and statements for use in the criminal justice system;
- b) The preparation of statements and exhibits for service on the defence as part of the prosecution case;
- c) The provision of unused material which the prosecutor deems meets the tests for disclosure as unused material set out in the Criminal Procedure and Investigations Act 1996, both at the primary and secondary disclosure stages;
- d) Completion of further forensic work requested by the police/prosecutor to rebut a defence put forward by the defendant, which may or may not be highlighted in a Defence expert's report or Defence Statement.

Any claim must be made in line with the rates set out in Schedule 5 of the Criminal Legal Aid (Remuneration) (Amendment) Regulations 2013.