



Protect-Personal

- 1** Date of warrant, requisition or summons
- 2** The Court hearing the proceedings
- 3** The Case Number
- 4** Names and address(es) of defendant(s) on the costs order
- 5** Date of the costs order (enclose this)
- 5a** Date of the notice of legal aid refusal (enclose this)
- 6** Name and address of the litigator or confirm address at 4 if applicant in person
- 7** Litigator's reference (if appropriate)
- 8** Litigator's VAT number (if appropriate)

Application for legal costs from central funds

Use this form

to claim costs from central funds in proceedings on indictment in the Crown Court in which an application for representation was made on or after 27th January 2014 and was refused subsequently.

If you want to claim costs which relate to:

- proceedings which commenced before the 1st October 2012,
- or** proceedings which commenced on or after 1st October 2012 other than those to which this claim relates,
- or** the instruction of a barrister under the Direct Public Access provisions,

use other forms available at the Criminal Cases Unit web page on GOV.UK

Warning

You must make this application within 3 months from the date that you enter at **5** (see **31**).

When you complete the form

you must answer, or comply with, **1** to **31**. If you do not, or if you do not send with this form the documents that you tick at **30**, the Criminal Cases Unit (CCU) may reject the application (Costs in Criminal Cases (General) Regulations 1986 6(2)).

If you do not claim at a question from **12** to **27**, tick the box 'No claim' for the question.

If you need more space for any of questions **12** to **27**, use Form 5912A. If you use that form, tick the box below the question on this form.

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 relevant proceedings in the Crown Court in which an application for representation is made on or after 27th January 2014 and is refused subsequently (the 'Guidance Document'),

9 Telephone number
Please provide a daytime number where we may contact you about this application

and
'Calculation of amounts payable in respect of legal costs under defendant's costs orders' (the 'Calculation of Legal Costs Document').

Both 'Documents' are available at the Criminal Cases Unit web page on [GOV.UK](https://www.gov.uk)

10 Case synopsis

Please give a summary of the proceedings (a 'case narrative'), and include:

- the number of defendants.
- the nature of the prosecution evidence. Include the number of pages of statements, exhibits, interviews and other material.
- the nature and difficulties of the defence case.

Additionally, give:

- a summary of circumstances to support any claim for enhanced rates.
- any other special circumstances to which the attention of the determining officer is drawn.

If you need more space, please continue on another sheet of paper.

11 Fee earners

Provide details of the fee earners in the case, using the Senior Court Costs Office scheme:

Grade A: Senior partners and solicitors with over 8 years' post qualification experience.

Grade B: Junior partners, experienced solicitors and experienced legal executives with over 4 years' post qualification experience.

Grade C: Competent solicitors and legal executives dealing with routine summary matters.

Grade D: Trainee solicitors, para-legals and fee earners of equivalent experience and ability.

Name of fee earner (enter 1, 2, 3 or 4 for 'Fee earner' when you answer 12 to 16, and 20 to 24)	Grade	Date of admission, or if not admitted, explanation of why not admitted
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1

2

3

4

Magistrates' Court: claims for costs

12 Litigator's preparation No claim

- Do not include preparation of this application.
- Refer to paragraph 1.1 of the 'Calculation of Legal Costs Document'; and paragraphs 10 and 11 of the 'Guidance Document' (see 'Guidance' on page 1).

Date: list in date order, earliest date first	Specify work undertaken	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use

Date: list in date order, earliest date first	Specify work undertaken	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
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Form 5912A (Continuations) used

Total £

13 Litigator's advocacy or attendance at court where advocate instructed.....No claim

Date: list as at 12	Specify work undertaken	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
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Form 5912A (Continuations) used

Total £

14 Litigator's travel.....No claim

Date: list as at 12	Specify travel undertaken	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
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Form 5912A (Continuations) used

Total £

15 Litigator's waiting.....No claim

Date: list as at 12	Specify waiting details	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
					Total £	

Form 5912A (Continuations) used

16 Litigator's routine letters, faxes, emails and routine telephone calls.....No claim

Number	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
Letters, faxes, emails sent out				
Telephone calls in and out				
				Total £

17 Litigator's disbursements liable to VAT.....No claim

- You must provide the invoices (see box 12 at **30**).

Date: list as at 12	Specify disbursement	Rate claimed as appropriate	Sum (£) claimed	CCU use
				Total £

Form 5912A (Continuations) used

18 Advocate fees.....No claim

- You must provide a case assessment and schedule of work done by the advocate; and for all claims you must provide the fee notes (see box 10 at **30**).
- Advocate fees in the magistrates' court are subject to the rates and maximum amounts, described in Part1, section 1.2 of the 'Calculation of Legal Costs Document' (see 'Guidance' on page 1).

Date: list as at 12	Specify work undertaken by the advocate	Sum (£) claimed	VAT claimed	CCU use Sum	CCU use VAT
Form 5912A (Continuations) used		Total £			

- 19 Other disbursements** (including or not liable to VAT, please specify).....No claim
- You must provide the invoices and expert reports (see box 12 at **30**).
 - Refer to Part 4 of the 'Calculation of Legal Costs Document' (see 'Guidance' on page 1).

Date: list as at 12	Specify disbursement	Sum (£) claimed	CCU use
Form 5912A (Continuations) used		Total £	

continued →

The Crown Court: claims for costs

20 Litigator's preparation No claim

- Do not include preparation of this application.
- Refer to paragraph 2.1 of the 'Calculation of Legal Costs Document'; and paragraphs 10 and 11 of the 'Guidance Document' (see 'Guidance' on page 1).

Date: list in date order, earliest date first	Specify work undertaken	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
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Form 5912A (Continuations) used

Total £

21 Litigator's advocacy or attendance at court where advocate instructed.....No claim

Date: list as at 20	Specify work undertaken	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
					Total £	

Form 5912A (Continuations) used

22 Litigator's travel.....No claim

Date: list as at 20	Specify travel undertaken	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
					Total £	

Form 5912A (Continuations) used

23 Litigator's waiting.....No claim

Date: list as at 20	Specify waiting details	Time spent	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
					Total £	

Form 5912A (Continuations) used

continued →

24 Litigator's routine letters, faxes, emails and routine telephone calls.....No claim

Number	Rate (hourly)	Fee earner	Sum (£) claimed	CCU use
Letters, faxes, emails sent out				
Telephone calls in and out				
			Total £	

25 Litigator's disbursements liable to VAT.....No claim

- You must provide the invoices (see box 12 at **30**).

Date: list as at 20	Specify disbursement	Rate claimed as appropriate	Sum (£) claimed	CCU use
Form 5912A (Continuations) used			Total £	

26 Advocate fees.....No claim

- You must provide a case assessment and schedule of work done by the advocate; and for all claims you must provide the fee notes (see box 10 at **30**).
- Refer to paragraph 2.2 of the 'Calculation of Legal Costs Document'; and paragraphs 10 and 11 of the 'Guidance Document' (see 'Guidance' on page 1).

Date: list as at 20	Specify work undertaken by the advocate	Sum (£) claimed	VAT claimed	CCU use Sum	CCU use VAT
Form 5912A (Continuations) used			Total £		

27 Other disbursements (including or not liable to VAT, please specify).....No claim

- You must provide the invoices and expert reports (see box 12 at **30**).
- Refer to Part 4 of the 'Calculation of Legal Costs Document' (see 'Guidance' on page 1).

Date: list as at 20	Specify disbursement	Sum (£) claimed	CCU use
Form 5912A (Continuations) used		Total £	

28 Summary of claims

- 28.1 Magistrates' Court** (totals for **12** to **19**)
- 12** Litigator's preparation
 - 13** Litigator's advocacy, or attendance at Court where advocate instructed
 - 14** Litigator's travel
 - 15** Litigator's waiting
 - 16** Litigator's routine letters, faxes, emails and routine telephone calls
 - 17** Litigator's disbursements liable to VAT
 - 18** Advocate fees **excluding** VAT
 - Sub-total
 - VAT
 - 19** Other disbursements (including or not liable to VAT)
 - Total claim for magistrates' court

Total sum claimed or 'Total of all claims' if form 5912A used (£)	CCU: Total sum allowed

Total sum claimed or 'Total of all claims' if form 5912A used (£)	CCU: Total sum allowed
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28.2

Crown Court (totals for 20 to 27)

20	Litigator's preparation
21	Litigator's advocacy, or attendance at Court where advocate instructed
22	Litigator's travel
23	Litigator's waiting
24	Litigator's routine letters, faxes, emails and routine telephone calls
25	Litigator's disbursements liable to VAT
26	Advocate fees excluding VAT
	Sub-total
	VAT
27	Other disbursements (including or not liable to VAT)
	Total claim for Crown Court

28.3

Both courts (total of summaries 28.1 and 28.2)

	Total litigator's profit costs
	Total litigator's disbursements liable to VAT
	Total advocate fees excluding VAT
	Sub-total
	Total VAT
	Total other disbursements (including or not liable to VAT)
	Total costs claimed (when costs are in both courts)

continued →

29 Certifying the application

- Applicants should be aware that the Legal Aid Agency is entitled to look behind all claims to establish their authenticity. The Legal Aid Agency will instigate proceedings on claims found to be false, inaccurate or misleading.
- The certificate at **29.1** must be completed.

29.1 Certificate: complete for all applications.

- Choose either **box 1** or **box 2**, and tick the box.
 - Then sign and date the certificate. The certificate should be signed by the litigator (on behalf of the applicant) or by the applicant in person.
- 1 I certify that no claim has been made, and no claim will be made, for payment in respect of services funded for the applicant 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 the applicant 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 actually incurred by the applicant.

Signed by the litigator, or by the applicant in person

Date of application (of signing)

Print name

continued →

Checklist of documents

- 30**
- A complete application requires the documents that support it to be provided with this form.
 - Tick the boxes to confirm the documents which you will provide.
- 1 a copy of the costs order made by the court.
 - 1a a copy of the notice of legal aid refusal.
 - 2 the warrant, requisition or summons (if you are claiming magistrates' court legal costs) (any of these documents should be endorsed with the date of service).
 - 3 appropriate evidence of the contract of retainer (that is, a client care letter and any amendments).
 - 4 a copy of any interim and final bills sent to the applicant, whether paid or not.
 - 5 details of the fee earners' names and grades (see **11**).
 - 6 continuation sheets (if any) for the case narrative (see **10**).
 - 7 a summary of circumstances to support a claim for enhanced rates if not given on this form or any continuation sheet, or both (see **10**).
 - 8 litigator's correspondence and attendance notes (if these exceed two boxes, contact the Criminal Cases Unit (see **31**, 'What to do next')).
 - 9 briefs, proofs and any other documents prepared for any advocate.
 - 10 advocate's fee notes, and the case assessment and schedule of work done.
 - 11 advices and any other document prepared by an advocate.
 - 12 invoices for all disbursements together with copies of any expert reports.
 - 13 details to support **box 2** at **29.1**.
 - 14 one or more pages of form 5912A ('Continuations') to support claims at **28**.

What to do next

- 31**
- Send the form and documents to the Criminal Cases Unit no later than 3 months from the date of the costs order.
 - **Do not send** prosecution statements, exhibits or other evidence.