

Private prosecution (PP1) claim form guidance

April 2023

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Introduction

Download the most up to date version of the Private Prosecution (PP1) claim form from the GOV.UK website:

https://www.gov.uk/government/publications/apply-for-criminal-court-costs-from-central-funds-form-pp1

Top tip

You must download a fresh form for each claim. Using an out of date form or overtyping may cause an error and result in your claim being rejected.

Once the form is downloaded, we recommend you name the file using the format:

Prosecutor's name v defendant's name followed by the case number

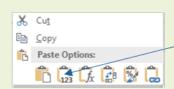
You should not remove lines of information.

DO NOT insert rows.

If you have entered work in the wrong order we can rectify this upon receipt.

If you enter a row in error highlight the relevant cells and use the 'clear contents' function.

If you are copying and pasting into the form, use the 'paste values' function.



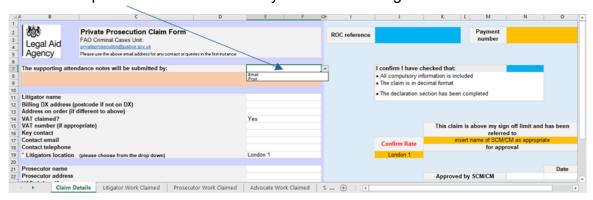
This ensures that any values entered do not affect anything in the background of the forms.

Completing the form

Claim details

Step 1

Use the drop-down list to tell us how you are submitting the attendance notes.



Step 2

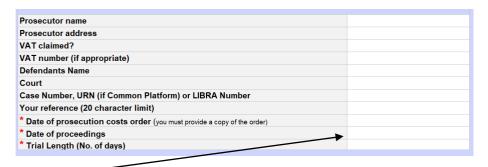
Complete the litigator details and use the drop-down list to choose the applicable rate.



If you are unsure of the applicable rate for your location, refer to location lists at the end of this guide.

Step 3

Complete the prosecutor details.



You must enter the date on which proceedings commenced i.e. the date the summons was issued or the information was laid in the Magistrate's Court. It is this date that will determine the applicable hourly rate to be applied to your claim

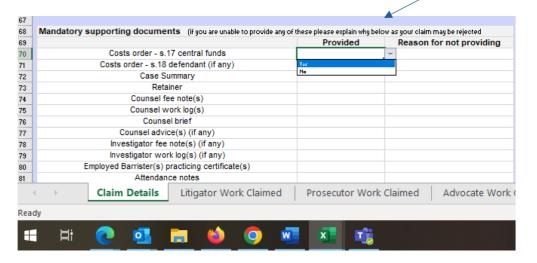
If an order was made by the court pursuant to either S17(2C) or S18 of the Prosecution of Offences Act 1985, the sum **must** be entered at row 65 (E65).



Step 4

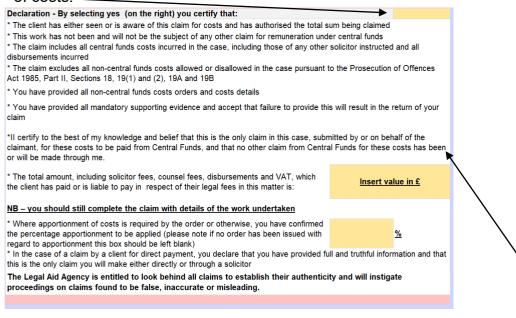
Move on to the mandatory supporting documents section. Use the 'Yes' or 'No' drop-down to tell us what you are providing.

You must state the reason if not providing an item.



Step 5

Complete the declaration by selecting 'Yes' from the drop-down. We will reject unsigned claims. Complete the amount the client has paid or is liable to pay, and any apportionment of costs.



Claims for costs include any claim for attendance at court by a prosecution expert or witness.

Step 6

Complete the 'fee earners' information including the full name, admission date, initials and grade of fee earner using the drop-down list.

Fee earners (You must provide names and relevant PQE/relevant experience of all fee earners, to include justification for any claim at Grade A rates)									
Full Names Admission Date Initials Gra									

Top tip

If you are claiming a grade of fee earner based on previous experience you should provide supporting information. Failure to do so may result in a lower payment.

You must claim costs for an advocate who is not an employee of your firm using the advocate fees tab. You will also need to provide a copy of their fee note and work log.

Please note that a Solicitor or employed Barrister undertaking fee earner work should claim as a litigator.

Step 7

Complete the 'relevant supporting information' box with details of the case and any relevant supporting information including information which may not be apparent from the papers.

Relevant supporting informa	tion		

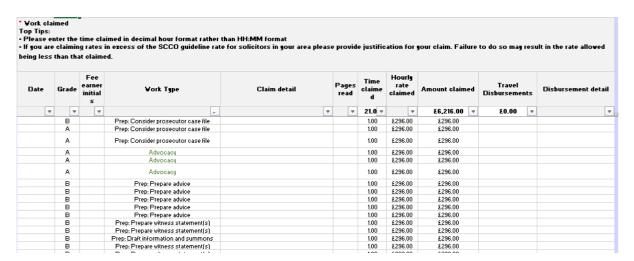
Top tip

If you are claiming for work by a grade A fee earner, you should provide justification in this box.

Litigator work claimed

Enter the details of the work type claimed and fee earner using the drop-downs, and complete the remaining boxes with details of the work undertaken. Provide any additional clarification of the preparation work in the supporting information box (see step 7 above).

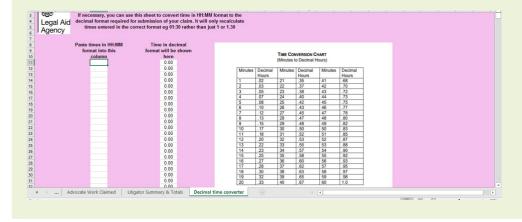
DO NOT insert rows. The form does not allow this and the claim will not calculate correctly. The assessor will be able to filter the form into date order.



Top tip

Enter time in a decimal format, for example: 1 hour 18 minutes = 1.3. Using the wrong format may result in your claim being underpaid.

A time converter can be found at the final tab on the claim form.



Top tip

If you are claiming higher rates than the Senior Courts Costs Office (SCCO) guideline rate for solicitors in your area you must provide justification. Failure to do so may result in a lower payment.

Details of the SCCO guideline rates can be found at:

https://www.gov.uk/guidance/solicitors-guideline-hourly-rates

If the form does not contain enough lines, email your partially completed form to privateprosecution@justice.gov.uk for us to extend it. Clearly state this is not the final claim, and tell us approximately how many more lines you will need. We will then extend and return the form to you.

Routine correspondence and telephone calls

Enter routine items on the claim details tab. Enter the number of items claimed for each grade of fee earner and the rate claimed.

Routine correspondence and telephone calls items claimed you are claiming rates in excess of the SCCO guideline rate for solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor is also the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor is also the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than that claiming the solicitor failure to do so may result in the rate allowed being less than the solicitor failure to do so may result in the rate allowed being less than the solicitor failure to do so may result in the rate allowed being less than the solicitor failure to do so may result in the solicitor failure to do so may result in the solicitor failure to do so may result in the solicitor failure to do so may result in the solicitor failure to do so may result in the solicitor failure to do so may result in the solicitor failure to do so may result in the solicitor failure to do so may result in the solicitor failure failure to do solicitor failure to do solicitor failure f		your claim.
Grade	Rate claimed	Items claimed
Α	£10.00	
В	£10.00	
С	£10.00	
D	£10.00	
Prosecutor	£10.00	

Disbursements

All disbursements should be claimed using the 'Disbursements' tab.

Complete the date, invoice number (if applicable), details of the disbursement and net claim. Select either 'Yes' or 'No' from the drop-down to confirm if VAT is applicable.

	Disbursement	s claimed - you must provide supporti	ng evidence fo	r items over £20			
Date	Invoice	Date	Details	Net claim	VAT applicable	Person Claiming	
				Yes			

Select either 'Litigator', 'Prosecutor' or 'Advocate' from the drop-down to confirm the person claiming.



You must provide an invoice or receipt for any disbursement over £20.

DO NOT insert rows. The form does not allow this and the claim will not calculate correctly. The assessor will be able to filter the form into date order.

Prosecutor work claimed

Enter the details of the work claimed using the drop-down list and complete all other boxes.

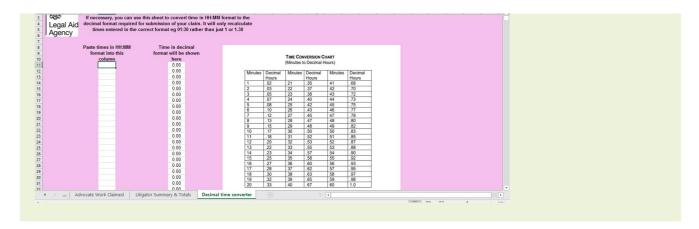
o Tips:	er the time clai	* W	ork claimed				
Date	Employee/ Agent initials	Work Type	Claim detail	Pages read	Time claimed	Hourly rate claimed	Amount claimed
	· ·	A			6.00 -	-	£500.00
		Prep: Consider advice or skeleton argument		10	1.00	£100.00	£100.00
		Prep: Prepare advice			1.00	£100.00	£100.00
		Prep: Prepare case summary			1.00	£100.00	£100.00
		Attend: Court hearing			1.00	£100.00	£100.00
		Travel			1.00	£50.00	£50.00
		Waiting			1.00	£50.00	£50.00
		_					£0.00
							£0.00
							£0.00

Provide any clarification of the preparation work in the supporting information box (see step 7 above).

Top tip

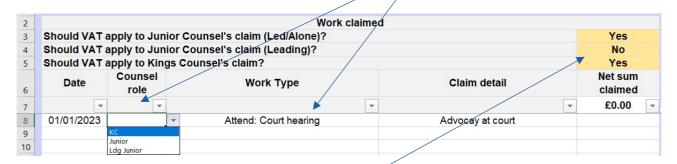
Enter time in a decimal format, for example: 1 hour 18 minutes = 1.3. Using the wrong format may result in your claim being underpaid.

A time converter can be found at the final tab on the claim form.



Advocate work claimed

Enter the details of the work claimed using the drop-down list and complete all the other boxes.



You must select either 'Yes' or 'No' from the drop-down to confirm if VAT is applicable for junior, leading junior and KC. Failure to complete these boxes will result in counsel's fees not calculating correctly.

Provide any clarification of the preparation work in the supporting information box (see step 7 above). Please provide a copy of the fee note.

Summary of claim

The 'summary of claim' populates once you have entered all the claim details.

Hours/Items claimed	ts	• ′		
nours/items ciaimed		Net to	tal	
1.00		£200.	00	
1.00		£200.	00	
1.00		£200.	00	
2.00		£400.	00	
0		£0.0	0	
Litigator	profit costs claimed	£1,000	0.00	
Litigator profit co	sts (as apportioned)	£1,000	0.00	
	£100.00			
		£100.00		
Routino				
Prosecutor profit co	sts (as apportioned)	£500.	00	
liable to VAT	£100.00	Casta (aa	£100.00	
			£100.00	
not hable to VAI	2100.00	apportioned)	2100.00	
Kinas Counsel	£0.00		£0.00	
Leading Junior	£100.00	Costs (as	£100.00	
Junior	£100.00	, –	£100.00	
Total Advocates costs claimed	£200.00	.,,	£200.00	
	2.00 0 Litigator Litigator profit co Prosecutor Cos Hours/Items claimed 3.00 1.00 2.00 0 Pros Prosecutor profit co liable to VAT not liable to VAT Kings Counsel Leading Junior Junior	2.00 0 Litigator profit costs claimec Litigator profit costs (as apportioned) Prosecutor Costs Hours/Items claimed 3.00 1.00 2.00 0 Prosecutor costs claimec Prosecutor profit costs (as apportioned) liable to VAT £100.00 not liable to VAT £100.00 Kings Counsel £0.00 Leading Junior £100.00	2.00 £400. 0 £0.00 Litigator profit costs (as apportioned) £1,000 Prosecutor Costs Hours/Items claimed Net to 3.00 £300. 1.00 £100. 2.00 £100. 0 £0.00 Prosecutor costs claimed £500. Prosecutor profit costs (as apportioned) £500. Iiable to VAT £100.00 Costs (as apportioned) Kings Counsel £0.00 Costs (as apportioned) Leading Junior £100.00 Costs (as apportioned)	

Top tip

If your claim summary does not populate correctly check that you have:

- downloaded a fresh form
- entered all the mandatory information (marked *)
- selected whether VAT is applicable for counsel's fees and disbursements
- claimed an hourly rate for all work

Submitting your claim

Once you have completed your claim you must complete the declaration.

If you are submitting attendance notes by email please send separate attachments as follows:

- 1. PP1 form
- 2. Costs order
- 3. Retainer
- 4. Employed Barristers' practising certificates
- 5. Other documentation, including:
 - summons
 - indictment
 - charge sheet
 - case summary
 - attendance notes
 - correspondence
 - telephone notes
 - invoices and receipts
 - expert report
 - counsel fee note and work log
 - investigator fee note and work log (where appropriate)

If the total attachments exceed 10MB then send via separate emails. Use clear subject headings such as 'PP claim Prosecutor v John Smith 1 of 2'.

Alternatively, you can upload the documents to the Secure File Exchange. Contact the appropriate mailbox to request a file to be set up.

Before posting supporting documents email your PP1 form and await further instructions.

Please note that we do not return emailed documents. We aim to return paper files within 14 days of the determination.

Email your claim to: privateprosecution@justice.gov.uk

On receipt we will allocate your claim a unique reference number. You should quote this whenever you contact us.

We aim to determine all claims within target.

Up to £100,000.00	Within 20 working days of receipt
Up to £250,000.00	Within 30 working days of receipt
£250,000.00 to £1,000,000.00	Within 90 working days of receipt
Over £1,000,000.00	Within 120 working days of receipt

If we do not allow your claim in full, we will email a copy of your PP1 with our determination. See the 'claim details' tab for a summary of what we have allowed. The information is also shown in the separate tabs. See example below.

Figure 1 - Litigator work claimed tab

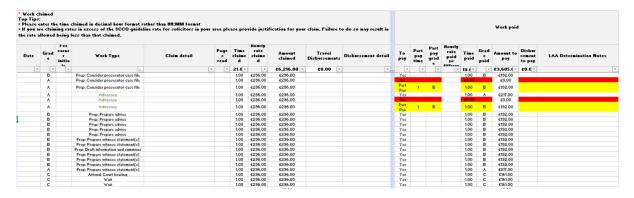


Figure 2 - Routine correspondence and telephone calls section of claim details tab



Figure 3 - Disbursements tab

Disburseme	Disbursements claimed - you must provide supporting evidence for items over £20						Disbursen	nents paid
Date	Invoice reference	Details	Net claim	VAT applicable	To pay	Part pay net value	Total net paid	Determination notes
02/07/2019	TEST	REPORT	£150.00	Yes	Yes	-	£150.00	

Figure 4 - Advocate work claimed tab

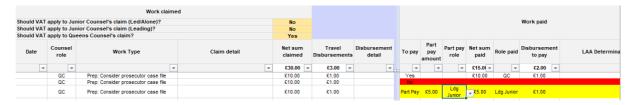


Figure 5 - Prosecutor work claimed tab



Figure 6 - Summary of claim section in claim details tab

3488419 01	claim (this uill papelete extensetically as Litigators Costs	CA TACCIONA MAI	rks4 4rs campi	*****	Sammark or b	payment (this wil	Litigators		S TACCION MAI	41.	
	Hours/Items claimed Net total										
	15.00		£5.032.00				Hours/Items paid 14.00				
Preparation	3.00		£888.00		Preparation Advocacy		14.00			€3,035.00 €409.00	
Advocacy		1.00									
Attendance at			€296			ce at court	1.00		€161.		
Travel & waiting	2.00		€0.			k waiting	2.00				
Routine	4		€106			ıtine	4		£68.		
	Litigator profit costs claimed		£6,32			igator profit cos			£3,67		
L	itigator profit costs (as apportioned)		€6,32	2.90	Litigato	r profit costs pa	id (as apportio	ed)	€3,67	3.80	
	Prosecutor Costs						Prosecutor	Costs			
	Hours/Items claimed		Net total				Hours/Item	s paid	Net total		
Preparation	3.00		£440.00		Preparation		1.50	1.50		00.0	
Attendance at	1.00		£70.	.00	Attendance at court		1.00	1.00		€70.00	
Travel & waiting	2.00		€0.00		Travel & waiting 2.00			€0.00			
Routine	2		£20.	.00	Routine		2		£20.00		
	Prosecutor costs claimed		£530	0.00	Prosecutor costs determined			€38			
Pr	osecutor profit costs (as apportioned)		€530	0.00	Prosecutor profit costs paid (as apportioned)		ned)	£380.00			
	liable to VAT	€153.00	Costs (as	€153.00		liable to YAT		€152.00	Costs (as	£152.0	
Disbursements	not liable to YAT			€0.00	Disbursements not liable to Y		AT €0.00		apportion	€0.00	
	QC .	£30.00	Costs (as	£30.00	G		2C €10.00		Costs (as	£10.00	
Advocates	Ldq Junior	€0.00		€0.00	Advocates	Ldg Jenior		£5.00		£5.00	
Advocates	Junior	€0.00	apportion	€0.00	Advocates	Jeni	or	€0.00	apportion – ed) –	£0.00	
	Advocates costs claimed	€30.00	ed)	£30.00		Advocates cos	ts determined	termined £15.00		€15.00	
	Total net claim (as apportioned)		€7,03	5.90		Total net pa	ument		€4,22	0.80	
Total for VAT					Total for VAT				€4,21	5.80	
	VAT claimed		€1.40	7.18		YAT pa	id		€843	3.16	
	Expected payment (as apportioned) £8.443.08		3.08	Overall total paid				£5.063.36			

Requesting a redetermination or review

If the costs were incurred in the Crown Court you can request a redetermination of the costs allowed.

The Costs in Criminal Cases (General) Regulations 1986 do not make the same provision for costs incurred in the magistrates' court. However, we will carry out an informal review of the costs allowed on request.

You must request a redetermination or review within 21 days of determination.

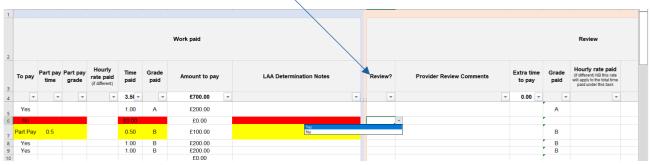
Email <u>privateprosecution@justice.gov.uk</u> quoting the unique reference number.

You may use your original claim form (see instructions below) or set out your request in the email.

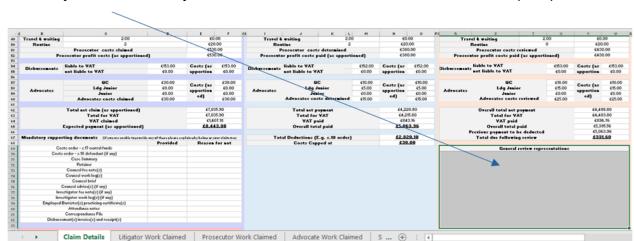
You must tell us which items you wish us to redetermine or review. Include any additional information, attendance notes or correspondence for consideration.

Requesting a redetermination or review using the PP1 form

Use the drop-down list in the 'Review?' column on each tab to tell us which items you wish us to redetermine or review and provide comments in support in the appropriate column.



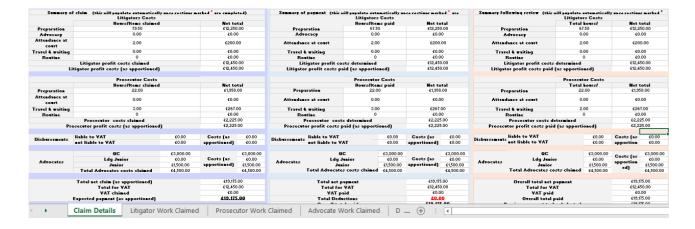
Do this on each item where you want us to redetermine or review.

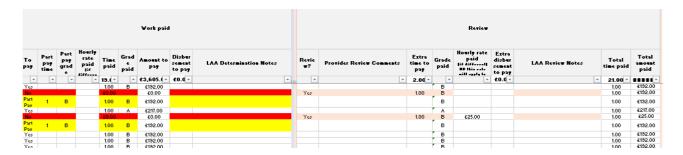


You may also include any additional comments on the claim details tab (R71).

Ensure that you include any information and documentation that you want us to consider. There is no provision for written reasons following review of claims in the magistrates' court.

If you have requested a review using the PP1 form, we will email a copy of your claim form detailing any additional amount to be paid. If appropriate, we will set out the reasons behind our decision in more detail in the email.





If you did not use the PP1 form, we will set out the result of the review in an email, and attach a copy of your PP1 claim form.

We aim to deal with requests for redetermination or review within 20 working days of receipt. For larger claims, this may take longer. The Case Manager will liaise with you to give you an estimate.

The process above should also be used for redetermination requests for Crown Court claims.

Next steps if you remain dissatisfied following a redetermination or review

Magistrates' court costs

There is no appeal provided for these cases under the Costs in Criminal Cases (General) Regulations 1986.

Crown Court costs

If you remain dissatisfied following a redetermination you can apply for written reasons. You must do this within 21 days of receipt of the notification of the redetermination.

We aim to provide written reasons within 20 days of request.

Details of the SCCO guideline rates can be found at:

https://www.gov.uk/guidance/solicitors-guideline-hourly-rates



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