

## Claiming the Evidence Provision Fee – Interim Guidance

### 1. Purpose & Background

The Evidence Provision Fee (EPF) has been introduced as part of the implementation of Crown Court Means Testing (CCMT) scheme. Information on the scheme and how it works can be found in the Criminal Legal Aid Manual<sup>1</sup>. For an explanation of the EPF and when it can be claimed, please see Annex 1 of the Manual.

In introducing CCMT, subsequent changes are required for the Lit Fee forms and the CCLF system. The changes to CCLF are expected within the next six weeks and the revised version of the form will become mandatory from October. New guidance will be issued when these changes take effect and will explain the new steps and how to submit claims.

In the meantime, this guidance provides the interim position and explains how to claim the EPF on:

- Form LF1
- CCLF

These interim claiming mechanisms merely provide the functionality for making the claim. Any EPF should still be treated as taxable income. Third party charges can be claimed in addition.

### 2. Claiming the EPF on Form LF1

- To claim the EPF on a form LF1, enter the details at section 2 and include the MAAT ID for each defendant that you are claiming an EPF for.
- As the value of the EPF will not exceed £100, you will not be able to request prior authority to claim the EPF, nor can it be incorporated into any interim bill.

An example of claiming the lower tier and upper tier is shown below:

#### Section two - details of disbursements

If prior authority has been granted, a copy of the authorisation letter must be submitted. Original disbursement vouchers must be submitted for all disbursements of £20 or more, regardless of whether prior authority has been granted.

Type of disbursement (e.g. medical report)	Net amount claimed (£)	VAT claimed (£)	Gross amount claimed (£)	Has prior authority been granted Y or N?	Have you applied for a payment on account Y or N?	Bill ID for LSC use only
Evidence Provision Fee	45	7.88	52.88	N	N	
Evidence Provision Fee	90	15.75	105.75	N	N	

<sup>1</sup> [http://www.legalservices.gov.uk/docs/cds\\_main/Criminal\\_legal\\_aid\\_manual\\_April\\_2010.pdf](http://www.legalservices.gov.uk/docs/cds_main/Criminal_legal_aid_manual_April_2010.pdf) or [www.legalservices.gov.uk](http://www.legalservices.gov.uk) follow the links Criminal Defence Service > criminal legal aid eligibility

**3. Claiming the EPF on CCLF**

- Search for or create new case
- Evidence provision fee should be claimed as a disbursement
- Where you are claiming for more than one defendant on the bill, please include a covering note with the LF1 confirming the MAAT ID and EPF amount for each defendant

**4. How will the EPF claim be validated?**

The Litigator Fee Team will use the evidence recorded on the MAAT system<sup>2</sup> to validate the claim.

**5. Querying the EPF**

- You may seek a redetermination of the assessment using form LF2
- Section 2 and Section 3 will need to be completed
- In Section 2, record 'Other' and state 'Evidence Provision Fee'
- In Section 3 provide the additional information to support your request for redetermination

An example is shown below:

Section two - Item(s) in Dispute	
Please indicate item	Please indicate the details you wish to claim
<input type="checkbox"/> PPE	
<input type="checkbox"/> Trial type	
<input type="checkbox"/> Length of Trial	
<input type="checkbox"/> Number of Defendants	
<input type="checkbox"/> Offence Classification	
<input type="checkbox"/> Disbursements	
<input checked="" type="checkbox"/> Other. Please state:	Evidence Provision Fee

  

Section three - Reason for Review
Please provide any additional information in support of your review.
Include explanation here...

**5. Further Queries**

Please contact the Litigator Fee Team:

Liverpool 0151 242 5239 [liverpool@legalservices.gsi.gov.uk](mailto:liverpool@legalservices.gsi.gov.uk)  
 Nottingham 0115 908 4383 [litgators-fee@legalservices.gsi.gov.uk](mailto:litgators-fee@legalservices.gsi.gov.uk)

<sup>2</sup> This is the system used by the magistrates' court to process the application for Criminal Legal Aid

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