

**Status:** Point in time view as at 02/12/2013.

**Changes to legislation:** The Civil Legal Aid (Remuneration) Regulations 2013, SCHEDULE 5 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULE 5

Regulation 10

## Experts' fees and rates

1. Subject to paragraph 2, where the expert service is of a type listed in the Table, the Lord Chancellor must pay remuneration to the provider for the expert service at the fixed fees or at rates not exceeding the rates set out in the Table.

[<sup>F1</sup>Table

<i>Expert</i>	<i>Non-London - hourly rate unless stated to be a fixed fee</i>	<i>London - hourly rate unless stated to be a fixed fee</i>
A&E consultant	£100.80	£108
Accident reconstruction	£72	£54.40
Accountant	£64	£64
Accountant (general staff)	£40	£40
Accountant (manager)	£86.40	£86.40
Accountant (partner)	£108	£115.20
Anaesthetist	£108	£108
Architect	£79.20	£72
Cardiologist	£115.20	£115.20
Cell telephone site analysis	£72	£72
Child psychiatrist	£108	£108
Child psychologist	£100.80	£100.80
Computer expert	£72	£72
Consultant engineer	£72	£54.40
Dentist	£93.60	£93.60
Dermatologist	£86.40	£86.40
Disability consultant	£54.40	£54.40
DNA (testing of sample)	£252 per test	£252 per test
DNA (preparation of report)	£72	£72
Doctor (GP)	£79.20	£72
Employment consultant	£54.40	£54.40
Enquiry agent	£25.60	£18.40
ENT surgeon	£100.80	£100.80
General surgeon	£108	£72
Geneticist	£86.40	£86.40
GP (records report)	£50.40 fixed fee	£72 fixed fee
Gynaecologist	£108	£72

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<i>Expert</i>	<i>Non-London - hourly rate unless stated to be a fixed fee</i>	<i>London - hourly rate unless stated to be a fixed fee</i>
Haematologist	£97.60	£72
Handwriting expert	£72	£72
Interpreter	£28	£25
Lip reader/Signer	£57.60	£32.80
Mediator	£100.80	£100.80
Medical consultant	£108	£72
Medical microbiologist	£108	£108
Meteorologist	£100.80	£144 fixed fee
Midwife	£72	£72
Neonatologist (non-clinical negligence cerebral palsy case)	£108	£108
Neonatologist (clinical negligence cerebral palsy case)	£180	£180
Neurologist (non-clinical negligence cerebral palsy case)	£122.40	£72
Neurologist (clinical negligence cerebral palsy case)	£200	£200
Neuropsychiatrist	£126.40	£72
Neuroradiologist (non-clinical negligence cerebral palsy case)	£136.80	£136.80
Neuroradiologist (clinical negligence cerebral palsy case)	£180	£180
Neurosurgeon	£136.80	£72
Nursing expert	£64.80	£64.80
Obstetrician	£108	£108
Occupational therapist	£54.40	£54.40
Oncologist	£112	£112
Orthopaedic surgeon	£115.20	£115.20
Paediatrician	£108	£72
Pathologist	£122.40	£432 fixed fee
Pharmacologist	£97.60	£97.60
Photographer	£25.60	£18.40
Physiotherapist	£64.80	£64.80
Plastic surgeon	£108	£108
Process server	£25.60	£18.40
Psychiatrist	£108	£108

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<i>Expert</i>	<i>Non-London - hourly rate unless stated to be a fixed fee</i>	<i>London - hourly rate unless stated to be a fixed fee</i>
Psychologist	£93.60	£93.60
Radiologist	£108	£108
Rheumatologist	£108	£108
Risk assessment expert	£50.40	£50.40
Speech therapist	£79.20	£79.20
Surveyor (housing disrepair)	£85	£115
Surveyor (non-housing disrepair)	£40	£40
Telecoms expert	£72	£72
Toxicologist	£108	£108
Urologist	£108	£108
Vet	£72	£72
Voice recognition	£93.60	£72]

#### Textual Amendments

**F1** Sch. 5 table substituted (2.12.2013) by [The Civil Legal Aid \(Remuneration\) \(Amendment\) Regulations 2013 \(S.I. 2013/2877\)](#), regs. 1, 2(6), [Sch. 2](#) (with reg. 3)

#### Exceptional circumstances

2.—(1) The Lord Chancellor may increase the fixed fees or rates set out in the Table after paragraph 1 if the Lord Chancellor considers it reasonable to do so due to exceptional circumstances.

(2) In sub-paragraph (1), “exceptional circumstances” mean that the expert's evidence is key to the client's case and either—

- (a) the complexity of the material is such that an expert with a high level of seniority is required; or
- (b) the material is of such a specialised and unusual nature that only very few experts are available to provide the necessary evidence.

#### Payment of expert services of a type not listed in the Table after Part 1

3. Where the expert service is of a type not listed in the Table after paragraph 1, in considering the rate at which to fund the expert service the Lord Chancellor—

- (a) must have regard to the rates set out in the Table after paragraph 1; and
- (b) may require a number of quotes for provision of the service to be submitted to the Lord Chancellor.

#### General provisions relating to experts

4.—(1) The costs and expenses relating to experts listed at sub-paragraph (2) are not payable by the Lord Chancellor.

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- (2) The costs and expenses are—
  - (a) any administration fee charged by an expert, including (but not limited to)—
    - (i) a fee in respect of office space or provision of a consultation room;
    - (ii) a fee in respect of administrative support services, such as typing services;
    - (iii) a fee in respect of courier services;
    - (iv) a subsistence fee; and
  - (b) any cancellation fee charged by an expert, where the notice of cancellation was given to the expert more than 72 hours before the relevant hearing or appointment.
- 5. The maximum amount that the Lord Chancellor may pay as a disbursement in respect of an expert's vehicle mileage is £0.45 per mile.
- 6. The maximum amount that the Lord Chancellor may pay as a disbursement in respect of an expert's travel time is £40 per hour.

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