

# LEGAL AID

9 key points to remember when booking

## Translators and Interpreters

### 1 TRANSLATION RATES

£100 per 1,000 words

Either the rate per word and number of words translated is required, or the hourly rate and time taken. The hourly rate for interpretation is considered a comparable rate to that used for translation.

**More info - Para: 10.18 Civil Finance Electronic Handbook**

### 3 PRIOR AUTHORITY

You must always apply for prior authority where you seek to incur expert costs at higher rates than those set out in the Remuneration Regulations for that service.

**More info - Para: 4.1 Guidance on the Remuneration of Expert Witnesses**

Most experts prefer to agree their fees in advance, but without prior authority there is a risk that less than the agreed fee will be allowed by the LAA on assessment. The solicitor can eliminate this risk by applying in advance for prior authority to instruct an expert.

**More info - Para: 7.1 Criminal Bills Assessment Manual, Version 7**

### 5 EXCEPTIONAL CIRCUMSTANCES

The Legal Aid Agency (LAA) cannot pay fees or rates in excess of those listed in the Remuneration Regulations unless they have granted prior authority to exceed the fees or rates. This will be in exceptional circumstances.

Exceptional circumstances are where the expert's evidence is key to the client's case and either the complexity of the material is such that an expert with a high level of seniority is required; or the material is of such a specialised and unusual nature that only very few experts are available to provide the necessary evidence.

**More info - Para: 2.1 - 2.2 Guidance on the Remuneration of Expert Witnesses**

### 7 DEFENCE WITNESS

The defence solicitor is responsible for arranging an interpreter for a defence witness, but the cost will be met from Central Funds. Prior authority will therefore not be granted by the LAA in these cases. A fully qualified interpreter should be used whenever practicable.

**More info - Para: 7.8.2 Criminal Bills Assessment Manual, Version 7**

### 9 SECURING VALUE FOR MONEY

The fees charged by interpreters can vary dependent on the language spoken and, in general, the fees charged for translation and interpreting services in more obscure languages are higher than in more common languages. In a legal aid case, just as in a privately funded case, a solicitor should aim to secure value for money when instructing any third party. This may, sometimes, involve obtaining competitive quotes where it is possible to do so.

**More info - Para: 7.8.6 Criminal Bills Assessment Manual, Version 7**

### 2 INTERPRETATION RATES

Interpreting, telephone interpreting and waiting time:

- Interpreters based within a London borough - £25 per hour;
  - Interpreters based out of London - £28 per hour
- Travel time: Civil- 2/3 of the hourly rate for interpreting,  
Criminal- 1/2 of the hourly rate for interpreting
- Mileage: 45 pence per mile

**More info - Para: 10.18 Civil Finance Electronic Handbook; Annex 1 Guidance on the Remuneration of Expert Witnesses**

### 4 MINIMUM CHARGES

Where an interpreter is claiming a minimum charge, this must be justified on submission of either the claim or the prior authority/CW3 application.

The provider is required to demonstrate that there was a scarcity of resource and therefore it was necessary to instruct an interpreter who claimed for that minimum charge.

This can be done by providing written evidence from at least three local service providers. Any justification or evidence provided must be dated within 12 months of the instruction of the interpreter.

It is not sufficient for the provider to state that this is a standard charge that is claimed on all cases. Where no justification has been provided, we will assess to the actual time taken.

**More info - Para 10.18 (Minimum Charges) Civil Finance Electronic Handbook**

### 6 INTERPRETATION IN COURT

Where a client is eligible for legal aid and requires an interpreter then their solicitor will secure an interpreter on their behalf. The interpreter will be available at the court to translate what the solicitor and client say to each other. This will usually involve discussions outside of the courtroom.

It may be appropriate for the legally aided interpreter to be in court during the hearing, e.g. a solicitor wants to give instructions to their client in court or to discuss issues that have been raised in court at any point during the hearing.

**More info - Para 6.29 Guidance on the Remuneration of Expert Witnesses**

### 8 CANCELLATION FEE

No cancellation fee will be payable if the expert is cancelled more than 72 hours before a hearing. For a case where a hearing scheduled for a number of days might be cancelled, the 72 hours' notice would extend into the number of days of that cancelled hearing. It might be right to reimburse for the first or second day but the notice would allow the expert rescheduling subsequent days rescheduling subsequent days and further cancellation fees would not be appropriate.

**More info - 10.5 Civil Finance Electronic Handbook**

<https://linguistdirectory.com>

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