**Name**

**Address**

**Date**

**Our ref:**

**Your ref:**

**Dear**

**R v**

**- Crown Court**

1. I refer to our recent *telephone conversation/correspondence* concerning your instruction as an expert for the Crown in the above named case.

**Assignment:**

1. [*Set out the terms of reference for the expert. Consider what other information you might want to include (e.g. CPS Guidance for Experts on Disclosure, Unused Material and Case Management, relevant CrimPR)]*

You are required to complete a self-certificate in every case where you are instructed as an expert witness for the prosecution. A copy of the enclosed blank certificate must be completed and sent to [*insert name, address and contact details of person if not writer of letter*].

**Fees:**

1. The Crown Prosecution Service will be responsible for paying your fees in relation to the presentation of your evidence. This includes attending case conferences and court.
2. Please note that all work **must** be authorised by [*me or]* a member of CPS staff of appropriate authority **before** it is commenced. Please do **not** undertake any work requested by the police or independent counsel without first obtaining authority to do so from [*me or]* a member of CPS staff of appropriate authority.

*[Note - use the names and contact details of the CPS staff with authority if they are known]*

1. The CPS may, in its discretion, refuse payment for any work done that is not so authorised.
2. It has been estimated that the above assignment should take no more than *[insert number of hours].* Please let me know as soon as possible if this is insufficient. You will be paid at a rate of **£ XX** per hour for this work. Please note that you must notify the reviewing lawyer *[insert name and contact details of the reviewing lawyer]* if the level of work required to complete the assignment is likely to exceed the original estimate quoted above.
3. All necessary and authorised preparatory work will be paid at a rate of **£ XX** per hour.
4. If you are required to attend court you will be notified in good time of the date, time and the name and address of the court.
5. The fees for a full day (10:30am and 4.30pm) at court will be **£ XX**.
6. If the Court sits for only half a day (either for a morning or afternoon session only), you will be paid for a full day unless the court has given one week's notice that it will not sit for a full day If you are warned in advance that your attendance is required you will only be paid a half day's fee of **£XX**.
7. The daily court attendance fee covers all activity undertaken between 10am and 5pm (including preparation, conference time, giving evidence and travel time). Where there is a half day court session the relevant times are from 10am to 1.30pm or 1.30pm to 5pm. Any additional work required of you **outside these periods** will be paid at a rate of **£ £XX** per hour
8. A copy of current travel and subsistence rates (EFC 1A (09.08) is enclosed.
9. Your properly completed invoice should be sent to me at the above address within 28 days of the conclusion of your participation in the case. Please note that failure to submit timely invoices may result in payment being delayed or refused.
10. You will be paid within 14 working days of receipt by me of your invoice. This should be accompanied by a detailed record of the work undertaken together with copy receipts in respect of travel and subsistence should that be necessary. *You are responsible for your own PAYE, National Insurance and VAT liabilities*. Please also complete the attached form with details of your bank account as payment will be by bank transfer.

**Cancellation fees:**

1. If the assignment is cancelled (for example, if you are not required to give evidence at court) and I have given you one week's prior notice of this (whether verbally or in writing) no cancellation fee will be paid. However, work already properly undertaken up to the point of notification of the cancellation will be paid in the above terms.
2. If the assignment is cancelled with less than one week's notice, a cancellation fee may be paid, subject to satisfactory proof of loss of earnings.
3. Please note that, notwithstanding the above, no cancellation fee will paid if other work is undertaken on the date cancelled, regardless of the amount of notice given.

**Unavailability for court:**

1. If you are unable to attend court you should contact me [*or insert other contact details]* immediately. You should not make arrangements for any other person to give evidence in your place without the prior approval of myself or other CPS representative [*insert details].*

**Confidentiality:**

1. Any information you obtain in the course of your assignment is confidential and is not to be given by you to anyone outside the CPS, whether during the assignment or after it has been finished, unless given permission by this office to do so. You must also comply with current UK Data Protection Act legislation.
2. You must not use any information you obtain in the course of your assignment for any purpose other than as authorised by the CPS. The rights to all such information rest with us and permission to access and use this information can only be given by a CPS representative of appropriate authority.
3. You must keep safe any documents provided to you in the course of an assignment. You must make sure they are not copied, in whole or in part, and you must return them to me at the end of the case or your involvement in the case.

**Other proceedings:**

1. You must contact me immediately, if, having accepted the assignment, you are summonsed, charged, cautioned or convicted for any offence or if you become the subject of any professional disciplinary proceedings.
2. If there is any breach of above terms or conditions relating to confidentiality, criminal or civil proceeding may result.

**Insurance:**

1. You are advised to have your own professional indemnity insurance cover as the CPS will not be responsible for any claims made against it, or against you, on the grounds (for example) of negligence or unprofessional conduct on your part.

Should you have any queries please do not hesitate to contact me on the above number or [*contact details of anyone else*]

Yours sincerely,

**Name**

**CPS**