

ORDINARY & PROFESSIONAL WITNESSES

Rates effective from 15 September 2008

This leaflet gives the current rates and upper limits of allowances payable to ordinary witnesses called to give evidence by the Crown Prosecution Service. The rates and upper limits are reviewed from time to time and the amounts in force when you attend court will be applied to your claim.

Subsistence Allowances

Day subsistence (Ordinary Witnesses only)

- Attendance not exceeding 5 hours **£2.25**
- Attendance exceeding 5 hours but not exceeding 10 hours **£4.50**
- Attendance exceeding 10 hours **£9.75**

These are fixed allowances towards the cost of meals and refreshments and the appropriate amount will be paid automatically. The period of attendance includes time spent travelling to and from court as well as the time spent at court. You may only claim for time when you had to attend. If you stayed at court after you had been released from giving evidence, no payments can be made for this time.

Overnight allowance

- Attendance overnight in London, Birmingham, Manchester, Leeds, Liverpool and Newcastle upon Tyne **£95.00 (Ordinary Witness)**
£85.25 (Professional Witness)
- Attendance overnight elsewhere **£65.00 (Ordinary Witness)**
£55.25 (Professional Witness)

PLUS (Ordinary Witnesses only)

- Night Subsistence Allowance **£21.00**
- Personal Incidental Allowance **£5.00**

The CPS will normally arrange the hotel accommodation for ordinary witnesses and pay for it. Where an evening meal is also included you will be entitled to the Personal Incidental Allowance only. Where no evening meal is included you will also be entitled to the Night Subsistence Allowance. These are fixed amount towards the cost of meals, refreshments, accommodation and other expenses where you had to stay away from home. The overnight allowance covers an absence of 24 hours and day subsistence is then only paid if you were away for more than 24 hours.

Ordinary witnesses who stay with family or friends will receive, in place of the above, a single payment:

- Night Subsistence Allowance **£25.00**

Travel expenses

Public transport: Rail, bus, coach and tube fares at standard (second class) rates will be reimbursed in full.

Motor car: If you use your own motor car, you will be paid **25p** for each mile. In addition, if you give a lift to another witness who is required to attend court or other person authorised to accompany you, a further **2p** per mile will be paid for the first passenger and **1p** per mile for each additional passenger. Exceptionally, if you can show that you had to use your own car instead of public transport (for example,

because there was no public transport, or there was a considerable saving of time and money, or because you are disabled or infirm), then a higher rate of **45p** per mile may be paid. You will need to justify using your own motor car to be eligible for the higher rate.

Motorcycles: Similar rules apply if you use your own motorcycle. The rate per mile that will be paid is **23.8p**. Exceptionally the higher rate of **25.4p** per mile may also be paid if you can show it was necessary to use your own vehicle instead of public transport.

Bicycle If you travel by bicycle you will be paid **20p** per mile.

Car parking: Car parking charges will normally only be paid.

Congestion Charge: Congestion Charges will normally be reimbursed in full.

Taxis: The cost of taxi fares or other hired vehicles (including any reasonable tips) will only be paid in cases of emergency, illness, infirmity, or where no other reasonable means of transport was available. The cost of waiting time will not be paid. You must provide receipts.

Other transport: If you intend to use some other form of transport (eg aeroplane or ship), you are advised to contact the CPS Finance Business Centre (see claim form for telephone number) for advice as to whether the cost will be allowed. The cost of travel by air or sea will be reimbursed at economy class fare only.

Advance Payments

Advance payments are only available in cases of urgent need to enable you to travel to court. This may be in the form of cash, cheque, rail travel warrant or rail tickets. In an emergency, contact your nearest police station or telephone the CPS Finance Business Centre for advice. You must declare any cash/cheque advances or rail warrants/tickets you are given on the claim form. If you travel by air your ticket will normally be purchased for you.

Loss of earnings – employed persons (Ordinary Witnesses only)

The maximum amount of earnings lost that may be repaid is:

- For an absence from work not exceeding 4 hours **£33.50**
- For an absence from work exceeding 4 hours **£67.00**

These payments are not subject to income tax or other statutory deductions. To claim loss of earnings, you must get your employer to complete this section of your claim certifying the earnings you have lost. Do this after you have attended court.

Loss of earnings – self-employed persons (Ordinary Witnesses only)

The maximum amount of earnings lost that may be repaid is:

- For an absence from work not exceeding 4 hours **£42.95**
- For an absence from work exceeding 4 hours **£85.90**

Payments to compensate for temporary loss of profits are taxable as receipts of a business. To claim loss of earnings, you must provide some evidence of self-employment (eg business card or letterhead with **your** name shown, firms stamp, tax or VAT reference, accountant's letter) and you may be required to provide evidence of your loss. The decision to pay the higher rate is discretionary and it will not be paid automatically.

Compensatory Allowance (Professional Witnesses only)

- Absence from practice/residence for up to 2 hours **£83.50**

- Absence from practice/residence between 2 and 4 hours **£117.00**
- Absence from practice/residence between 4 and 6 hours **£174.00**
- Absence from practice/residence over 6 hours **£234.00**

Employing someone to work in your absence, as a locum or childcare costs

The maximum amount that can be repaid if you employ someone to work in your absence or as a childminder is **£67.00** for each day of attendance. You must ask them to complete this section certifying the amount you have paid them. You may not claim for employing someone to work in your absence if you are also claiming loss of earnings.

If you are a professional witness and wish to claim for employing a locum you should ask the locum to complete this section. The maximum amounts payable are:

- Absence from practice for up to 2 hours **£89.00**
- Absence from practice between 2 and 4 hours **£125.00**
- Absence from practice over 4 hours or where locum necessarily covers more than 4 hours **£250.00**

Other Costs (Ordinary Witnesses only)

If you incur any other costs not covered by other sections of the claim full details should be given and receipts provided. The maximum payable is **£67.00** for each day of attendance.