

Practitioner File Review – Results 2025

Practitioner Co-operation 98%

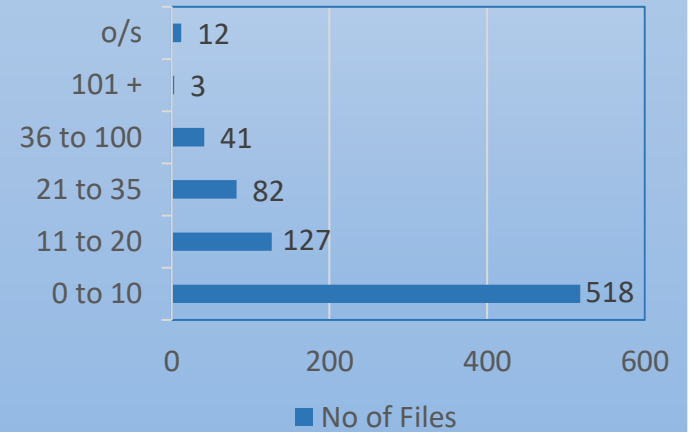
Reporting Period: Jan - Dec 2025

Cases Requested	783
Cases Concluded	783 *

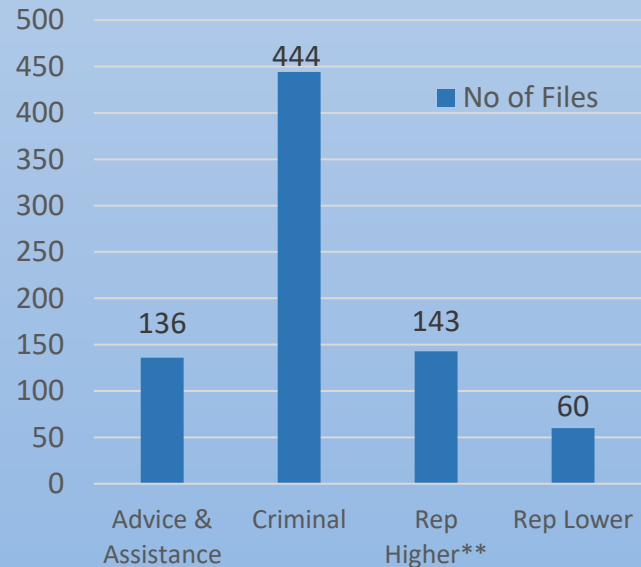
* Includes 12 files not received from practitioners

- The Practitioner File Review received 98% co-operation from the profession with **771 files received** for the 2025 year.
- Of the 783 files sampled, 57% are criminal, 18% rep higher, 8% rep lower, and 17% advice & assistance. With 64% of the files sampled relating to solicitor payment claims (501 cases) and 36% barrister payment claims (282 cases).
- There has been a prompt response rate with regards to receiving the files from practitioners, with 82% of the requested files received and payments released, in 20 days and under.

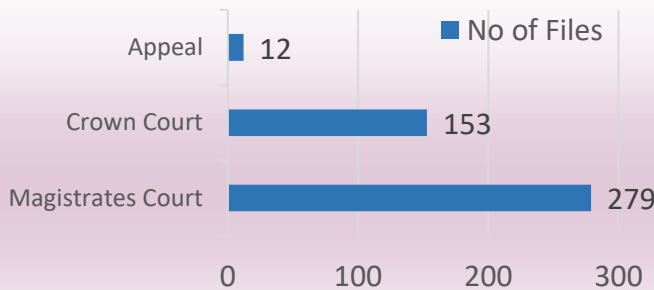
Days Taken to Receive File



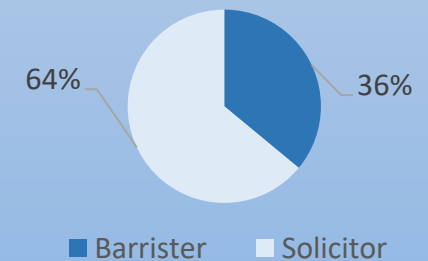
Files Sampled by Case Type



Criminal Case Type Breakdown



Split of Practitioners Sampled



**Rep Higher includes 2 Exceptional Funding cases

Practitioner File Review – Results 2025

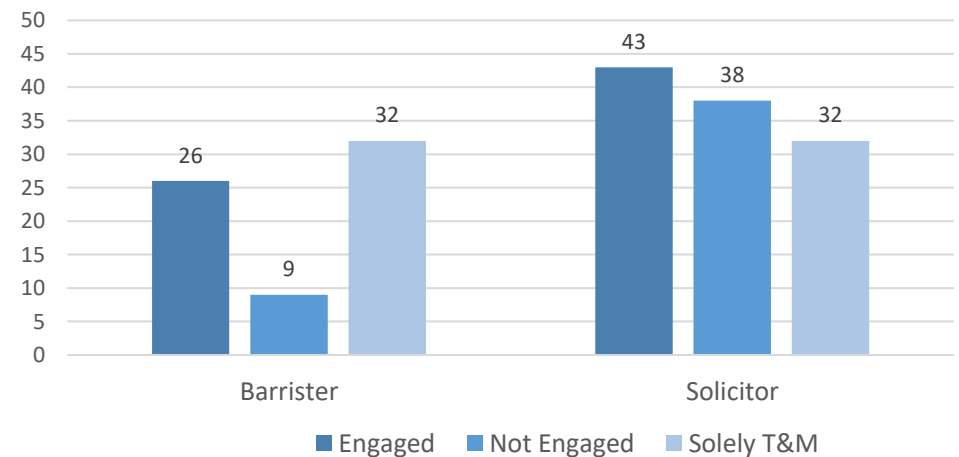
Sample months covered	Jan - Dec 2025
Total completed cases	783
Practitioner raw error rate	6.8%
Practitioner raw error value	£101,648
Practitioner error estimate	7.7%
Estimated MVE (monetary value of error)	£4,974,530
Practitioner error estimate excluding non –compliance	5.3%
Estimated MVE excluding non – compliance	£3,443,281
Total value of payments checked	£1,504,075

- The table above shows overall practitioner error on the 783 cases sampled in 2025 of 6.8%, when this is extrapolated across the population the estimate is 7.7%.
- This is 2.6% higher than the estimated level in 2024 (5.1%) with the estimated monetary value of practitioner error being £1.63 million higher than that estimated in 2024 of £3.35 million.
- Note that there were 19 files recorded as “file not received” in 2025. Of these, 12 were cases where no file was provided, and 7 where either a partial file was submitted or evidence showed that the practitioner’s file had already been destroyed, resulting in a copy of the instructing solicitor’s file being provided instead. This has a significant impact on the estimated error, which reduces by 2.4 % and £1.53 million when these non-compliance errors are removed.

Fees Adjustments

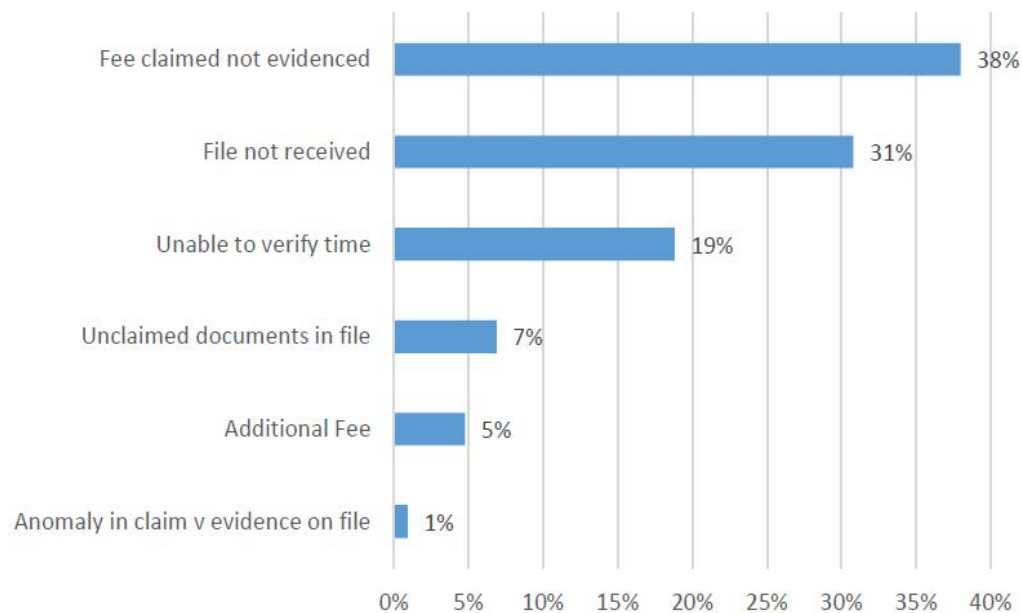
- The Agency introduced a Fees Adjustment and Recoupment Policy for any bill submitted after 1 July 2024.
- In 2025 this saw 201 out of the 783 sampled cases eligible for fees amendments, 133 (66%) relating to solicitor claims and 68 (34%) barrister claims.
- LSA wrote to 180 practitioners to inform them of over or under payments on their claim. In 2025, 69 (60%) of the practitioners engaged with this process as shown in table below (*excluding those who had solely T&M error as no engagement required*).
- Of the £102k practitioner error found, LSA has exercised management discretion and in total is only recouping £11k (10%).

Fees amendment - Practitioner engagement



Practitioner File Review – Results 2025

Percentage of the Monetary Value of Error



Causes of Overpayment Error (exc. non-compliance)

- The TWO main reasons overpayment errors are noted in the practitioner files tested is due to insufficient evidence to support the claim (38%) and the time claimed for cannot be validated (19%).
- Expense items which commonly attract these types of errors are listening to tapes; travel & mileage; consultation and advice; prep time and reading.

Recommendations

Key Requirements

- Submit full case files promptly – electronic upload via “audit event” on LAMS is preferred
- Do not destroy files before payment is confirmed
- Incorrect/incomplete files result in full value errors – Barristers must submit their own file

Evidence Standards

- Provide clear, contemporaneous documentation to support the payment claim
- Record **start** and **end** times for all time-based fees
- Ensure evidence matches claimed dates and times
- Use of travel & mileage and work log templates in Circular LSA 19/23 is encouraged

Common Failings

- Insufficient evidence for consultations and tapes
- Missing running time, dates, and time spent
- Discrepancies between records and claims

What’s changed for 2026 sample?

- **T&M errors** → automatic recoupment ([Circular LSA 10/25](#))
- **No response to fee adjustment letter** → automatic recoupment
- Updated [Fees adjustment and recoupment policy](#) (Feb 2026)

Practitioner File Review – Results 2025

AMOUNTS TESTED AND RESULTS BY BARRISTER/SOLICITOR							
Barrister	Quantity cases	Qty cases %	Error Amt (£)	Error (£) %	Correct Amt (£)	Correct (£) %	Amt tested by SAU (£)
Correct	195	69%	£0	0%	£388,971	100%	£388,971
Overpayment	80	28%	£63,797	18%	£288,622	82%	£352,419
Underpayment	7	3%	£669	3%	£20,311	97%	£20,980
Total	282		£64,466	8%	£697,904	92%	£762,370
Solicitor	Quantity cases	Qty cases %	Error Amt (£)	Error %	Correct Amt (£)	Correct (£) %	Amt tested by SAU (£)
Correct	318	63%	£0	0%	£401,386	100%	£401,386
Overpayment	120	24%	£25,575	15%	£144,056	85%	£169,632
Underpayment	63	13%	£11,605	7%	£159,081	93%	£170,687
Total	501		£37,180	5%	£704,523	95%	£741,705
Overall Total	783		£101,646	7%	£1,402,427	93%	£1,504,075

Travel & Mileage (T&M)* – Overview				
	Solicitor	Barrister	Total	Value
T&M paid cases	134	85	219	£26,677
Correct	80	48	128	£17,534
Incorrect	54	37	91	£9,143
T&M error rate	42% of T&M claims tested had error			

*** REMINDER – Criminal Magistrates Court**

- Solicitors cannot claim Travel & Mileage for local court
- Barristers cannot claim within 20 miles of Bar Library

KEY INSIGHTS

Coverage - Although solicitors have more cases tested, barrister cases tend to be higher value so similar payment amounts tested overall (£762k v £742k).

Error Rate - Barristers error rate is 8% (£64k) whereas solicitors error rate is 5% (£37k), meaning barristers errors make up ≈63% of total errors found.

Error Type - The majority of barristers errors are overpayments whereas solicitors have a more balanced error profile.

Case vs Value Accuracy

- Barristers - 69% cases correct, but 92% value correct meaning errors are concentrated in fewer high-value instances.
- Solicitors - 63% cases correct, but 95% value correct. When errors occur, they tend to be lower value.

Travel & Mileage – nearly one in every two T&M claims contains an issue. While errors are frequent at 42%, they represent 34% of the value tested (£9k). T&M errors occur consistently across both solicitors and barristers and is the most error prone process, having disproportionately high error frequency relative to overall billing.