

Resolution working for you – travel and subsistence consultation

The LAA has conducted its annual review of travel and subsistence rates. Resolution is not one of the three consultative bodies under the civil contract; but we were able to feed in views from the Legal Aid Committee via the Law Society and LAPG.

Resolution's Legal Aid Committee's view is that this has increased the administration burden and also increased the cost of delivering legal aid services.

Travel

We pointed out that HMRC increased Approved Mileage Allowance Payments (AMAPs) on 21 May 2026, to 55p per mile for cars and vans for the first 10,000 miles. The change was made effective retrospectively from 6 April 2026 for the 2026/27 tax year.

Firms will be paying staff at 55p per mile because that is fair and reasonable and staff expect it.

Maintaining a 45p per mile legal aid rate would significantly increase the administration of all travel claims as they would have to be recorded twice. Once for the LAA, and once for internal expenses, at different rates. In Family cases this can be numerous claims every month.

Experts also expect the HMRC AMAPs and legal aid rates to be aligned.

In addition, if firms continue to be able to recover at only 45p per mile, they will have to bear the shortfall.

Hotel and subsistence

The guideline rates for overnight accommodation and subsistence were last increased with effect from 5 December 2024.

The guideline rates are currently up to £165 in London (within the M25), £120 in Birmingham, Leeds, Liverpool, Manchester and Newcastle, and £100 elsewhere, per person per night including VAT. The overnight subsistence rate is £25

Feedback from Resolution's Legal Aid Committee is that it is very difficult to find a safe and reasonable standard hotel in central London at this rate at short notice. The subsistence rate does not cover an evening meal and breakfast in London or big regional cities. The shortfall is being subsidised by firms.

Having to apply to the LAA for an increased rate is very time-consuming on top of dealing with what will be a complex case requiring urgent action, listed for hearing at e.g., the Principal Registry of the Family Division in High Holborn.

This has to be set against the fact that Family legal aid rates have not increased since 1996, and were cut in 2011 by 10%. Any additional costs are a significant disincentive to continuing with legal aid work.