

APPENDIX 3: DATA ON FAST TRACK AND MULTI-TRACK PERSONAL INJURY CASES PROVIDED BY A LARGE FIRM OF CLAIMANT SOLICITORS

Fixed costs cases closed Jan - 31 Dec 2016 by damage band

Portal Cases		£1k - £10k	£1k - £10k	>£10k and ≤£25k	>£10k and ≤£25k
		Non-Trial	Trial	Non-Trial	Trial
EL/PL Portal Costs	Ave Hrs Per Case	11.17	16.50	19.91	17.20
	Ave Counsel Fee	-	420	-	
	Ave Damages per case				
EL/PL Portal Costs	Ave Actual Costs Per Case	£1,374	£2,528	£2,507	£2,202
	Ave Fixed Costs Per Case	£900	£1,400	£1,600	£2,100
	Shortfall of Fixed Fees Against Actual Costs (£)	-£474	-£1,128	-£907	-£102
	Shortfall of Fixed Fees Against Actual Costs (%)	-34%	-45%	-36%	-5%

RTA Portal Costs	Ave Hrs Per Case	12.34	26.58	30.38	-
	Ave Counsel Fee	-	197	-	-
	Ave Damages per case				
RTA Portal Costs	Ave Actual Costs Per Case	£1,509	£3,644	£3,902	-
	Ave Fixed Costs Per Case	£500	£1,000	£800	-
	Shortfall of Fixed Fees Against Actual Costs (£)	-£1,009	-£2,644	-£3,102	-
	Shortfall of Fixed Fees Against Actual Costs (%)	-67%	-73%	-79%	-

Ex-portal Fixed Costs Cases

		£1k - £5k	£1k - £5k	£1k - £5k	£1k - £5k	£1k - £5k		£5k - £10k	£5k - £10k	£5k - £10k	£5k - £10k	£5k - £10k		£10k to £25k	£10k to £25k	£10k to £25k	£10k to £25k	£10k to £25k
Work type	Measure	Pre Issue	Post Issue/Pre Allocation	Post Allocation/Pre Listing	Post Listing/Pre Trial	Trial		Pre Issue	Post Issue/Pre Allocation	Post Allocation/Pre Listing	Post Listing/Pre Trial	Trial		Pre Issue	Post Issue/Pre Allocation	Post Allocation/Pre Listing	Post Listing/Pre Trial	Trial
EL/PL Fixed Costs	Ave Actual Costs Per Case	£2,455	£4,806	£8,204	£10,986	£15,229		£3,935	£5,958	£9,707	£12,491	£16,823		£4,281	£8,208	£13,142	£16,173	
	Ave Fixed Costs Per Case	£1,445	£3,204	£4,158	£5,206	£6,083		£2,118	£4,114	£5,289	£6,622	£7,060		£3,037	£5,826	£7,624	£9,127	
	Shortfall of Fixed Fees Against Actual Costs (£)	-£1,010	-£1,602	-£4,046	-£5,781	-£9,146		-£1,817	-£1,844	-£4,418	-£5,868	-£9,763		-£1,245	-£2,382	-£5,518	-£7,046	
	Shortfall of Fixed Fees Against Actual Costs (%)	-41%	-33%	-49%	-53%	-60%		-46%	-31%	-46%	-47%	-58%		-29%	-29%	-42%	-44%	
RTA Fixed Costs	Ave Actual Costs Per Case	£2,051	£4,330	£6,124	£7,525			£2,856	£6,090	£7,092	£10,523			£3,699	£7,455	£11,192	£14,284	
	Ave Fixed Costs Per Case	£658	£1,775	£2,539	£3,150			£1,415	£2,630	£3,310	£4,323			£2,536	£4,572	£5,198	£6,382	
	Shortfall of Fixed Fees Against Actual Costs (£)	-£1,392	-£2,555	-£3,586	-£4,375			-£1,441	-£3,459	-£3,782	-£6,201			-£1,163	-£2,883	-£5,993	-£7,901	
	Shortfall of Fixed Fees Against Actual Costs (%)	-68%	-59%	-59%	-58%			-50%	-57%	-53%	-59%			-31%	-39%	-54%	-55%	

SUMMARY

EL/PL	Shortfall of Fixed Fees Against Actual Costs (£)	-£1,883
	Shortfall of Fixed Fees Against Actual Costs (%)	-40%
RTA	Shortfall of Fixed Fees Against Actual Costs (£)	-£1,507
	Shortfall of Fixed Fees Against Actual Costs (%)	-60%
TOTAL	Shortfall of Fixed Fees Against Actual Costs (£)	-£1,788
	Shortfall of Fixed Fees Against Actual Costs (%)	-43%

AVERAGE FIGURES DERIVED FROM RECENTLY APPROVED BUDGETS PROVIDED BY A LARGE FIRM OF CLAIMANT SOLICITORS FOR 28 MULTI-TRACK PERSONAL INJURY CASES

Cumulative Totals: Pre & Post Issue

	BAND 1 - Settlement Pre Issue)	BAND 1 - Settlement Post issue, pre CMC	BAND 1 - Settlement Post CMC,pre PTR	BAND 1 - Settlement Post PTR, pre Trial	BAND 1 Post Trial £25,000 - £50,000	BAND 2 - Settlement Pre Issue	BAND 2 - Settlement Post issue, pre CMC	BAND 2- Settlement Post CMC,pre PTR	BAND 2- Settlement Post PTR, pre Trial	BAND 2 Post Trial £50,000 - £100,000	BAND 3 - Settlement Pre Issue	BAND 3 - Settlement Post issue, pre CMC	BAND 3 - Settlement Post CMC, pre PTR	BAND 3 - Settlement Post PTR, pre Trial	BAND 3 Post Trial £100,001 - £175,000	BAND 4 - Settlement Pre Issue	BAND 4 - Settlement Post issue, pre CMC	BAND 1 - Settlement Post CMC, pre PTR	BAND 1 - Settlement Post PTR, pre Trial	BAND 4 Post Trial £175,001 - £250,000
<i>(proportion % of phase costs recoverable)</i>	100%	100%	100%	100%		100%	100%	100%	100%		100%	100%	100%	100%		100%	100%	100%	100%	
Pre action Total	£5,115	£5,115	£5,115	£5,115	£5,115	£5,425.12	£5,425.12	£5,425.12	£5,425.12	£5,425	£6,132.03	£6,132.03	£6,132.03	£6,132.03	£6,132	£12,359.90	£12,359.90	£12,359.90	£12,359.90	£12,360
<i>(proportion % of phase costs recoverable)</i>	50%	50%	75%	100%		50%	50%	75%	100%		50%	50%	75%	100%		50%	50%	75%	100%	
Negotiations / ADR Total	£9,047	£9,047	£11,014	£12,980	£12,980	£8,459	£8,459	£9,976	£11,493	£11,493	£12,165	£12,165	£15,182	£18,199	£18,199	£24,893	£24,893	£31,159	£37,425	£37,425
<i>(proportion % of phase costs recoverable)</i>		100%	100%	100%			100%	100%	100%			100%	100%	100%			100%	100%	100%	
Issue/ statements of case Total		£14,031	£15,998	£17,964	£17,719		£13,319	£14,836	£16,353	£14,994		£16,744	£19,761	£22,778	£28,565		£36,398	£42,665	£48,931	£50,552
<i>(proportion % of phase costs recoverable)</i>		50%	100%	100%			50%	100%	100%			50%	100%	100%			50%	100%	100%	
CMC Total		£16,523	£20,981	£22,948	£22,703		£15,749	£19,696	£21,213	£19,854		£19,034	£24,340	£27,357	£33,144		£42,151	£54,170	£60,437	£62,058
<i>(proportion % of phase costs recoverable)</i>	25%	50%	75%	100%		25%	50%	75%	100%		25%	50%	75%	100%		25%	50%	75%	100%	
Disclosure Total	£9,601	£17,631	£22,643	£25,163	£24,918	£9,220	£9,980	£12,257	£14,535	£22,895	£13,193	£14,221	£18,266	£22,311	£37,256	£26,627	£28,362	£36,363	£44,364	£68,996
<i>(proportion % of phase costs recoverable)</i>	25%	50%	75%	100%		25%	50%	75%	100%		25%	50%	75%	100%		25%	50%	75%	100%	
Witness statements Total	£10,774	£19,977	£26,161	£29,854	£29,609	£10,392	£12,326	£15,776	£19,226	£28,224	£14,264	£16,362	£21,477	£26,592	£41,537	£29,076	£33,259	£43,708	£54,158	£78,790
<i>(proportion % of phase costs recoverable)</i>	25%	50%	75%	100%		25%	50%	75%	100%		25%	50%	75%	100%		25%	50%	75%	100%	
Expert reports Total	£12,318	£23,065	£30,794	£36,030	£35,786	£11,937	£15,414	£20,408	£25,403	£34,869	£16,869	£21,573	£29,294	£37,015	£51,960	£38,444	£51,995	£71,812	£91,629	£116,262
<i>(proportion % of phase costs recoverable)</i>				100%					100%					100%					100%	
PTR Total				£38,536	£38,291				£28,586	£38,053				£39,863	£54,808				£98,443	£123,076
<i>(proportion % of phase costs recoverable)</i>				100%					100%					100%					100%	
Trial Preparation Total				£43,300	£43,055				£34,856	£44,323				£47,422	£62,367				£107,709	£132,341
<i>(proportion % of phase costs recoverable)</i>																				
Trial Total					£54,703					£60,891					£83,583					£174,628
TOTAL	£12,318	£23,065	£30,794	£43,300	£54,703	£11,937	£15,414	£20,408	£34,856	£60,891	£16,869	£21,573	£29,294	£47,422	£83,583	£38,444	£51,995	£71,812	£107,709	£174,628