**Application Form - Legal representation at public expense**

This application form relates to those who wish to apply for public funding for legal representation in the Inquiry. You should complete this form if you wish to apply for public funding and you :

(i) have been requested by the Chairman of the Inquiry to give evidence or to provide documents to the Inquiry or

(ii) claim a particular interest in the proceedings or outcome of the Inquiry and

(iii) consider that you need the support of a legal representative to fulfil the Chairman’s request or to protect your interests but

(iii) do not have the necessary financial means to fund legal representation.

Your completed form should be returned to the Secretary to the Inquiry at the address below.

When completing this form, you should refer to Inquiry Procedure Direction No 3 – Applications for legal representation at public expense and to the Notes for Applicants at the end of this form.

A hard copy of this form can be obtained from the Secretary to the Inquiry upon request.

If you have any questions concerning the form please contact the Secretary to the Inquiry.

**Completed forms should be returned to:**

By email: [evidence@edinburghtraminquiry.org](mailto:evidence@edinburghtraminquiry.org)

**1. YOUR DETAILS**

|  |  |
| --- | --- |
| Full Name: |  |
| Postal Address:  (including postcode) |  |
| Telephone numbers: |  |
| Daytime |  |
| Evening |  |
| Mobile |  |
| E-mail: (if available) |  |

**2.** **THE WORK TO BE FUNDED AT PUBLIC EXPENSE**

|  |
| --- |
| **2.1** Please specify the **nature and scope of the work** to be done by your legal representative for which you seek public funding. **(**In responding to this question you should consider paragraph 11 of the Inquiry Procedure Direction No 3 – Applications for legal representation at public expense.) |
| **Your text:** |

|  |
| --- |
| **2.2** Please say why you consider it to be in the **public interest** that your legal representation should be publicly funded. |
| **Your text:** |

|  |
| --- |
| **2.3** Please say whether you wish to **instruct your legal representative:**   * for a single “one off” matter (give details of the matter); * for the duration of the inquiry; or * for part of the Inquiry (specify which part or parts) |
| **Your text:** |

|  |
| --- |
| **2.4** If you wish to instruct your legal representative for a **single “one off” matter**, please give an estimate for the total number of hours of work expected on the part of your legal representative and any members of the legal team. |
| **Your text:** |

**3. DETAILS OF THE LEGAL TEAM**

**3.1 Your Legal Representative**

|  |  |
| --- | --- |
| Full Name |  |
| Firm Name |  |
| Business Address  (including postcode) |  |
| Business telephone number |  |
| Mobile number |  |
| Email address |  |
| Nature of work to be undertaken |  |
| Proposed hourly rate |  |
| Estimated number of hours to be worked per week (if known) |  |

**3.2 Bank Details of your Legal Representative**

|  |  |
| --- | --- |
| Name of Account Holder |  |
| Name of Bank |  |
| Address of Bank  (including postcode) |  |
| Account number |  |
| Sort Code |  |

**3.3** Please give the following details for each **additional member** of the legal team, please include counsel, solicitor advocates, assistant solicitors or paralegals if required:

**Member of Legal Team (2)**

|  |  |
| --- | --- |
| Full name |  |
| Position (QC, advocate, solicitor) |  |
| Nature of work to be undertaken |  |
| Proposed hourly rate |  |
| Estimated number of hours to be worked per week (if known) |  |

**Member of Legal Team (3)**

|  |  |
| --- | --- |
| Full name |  |
| Position (QC, advocate, solicitor) |  |
| Nature of work to be undertaken |  |
| Proposed hourly rate |  |
| Estimated number of hours to be worked per week (if known) |  |

**Member of Legal Team (4)**

|  |  |
| --- | --- |
| Full name |  |
| Position (QC, advocate, solicitor) |  |
| Nature of work to be undertaken |  |
| Proposed hourly rate |  |
| Estimated number of hours to be worked per week (if known) |  |

Please use a separate sheet, or add in extra tables, if you wish to provide details of more than 4 members of your legal team.

|  |
| --- |
| **3.4** Please give details of any **other likely expenses** relating to your legal representation. |
| **Your text:** |

**3.5.**  If the instruction of one or more **experts** is proposed please give details (so far as known):

|  |  |
| --- | --- |
| Full name |  |
| Address and contact details |  |
| Purpose for which the expert is to be instructed |  |
| Hourly rate |  |
| Estimated number of hours and total cost |  |

**Expert 2**

|  |  |
| --- | --- |
| Full name |  |
| Address and contact details |  |
| Purpose for which the expert is to be instructed |  |
| Hourly rate |  |
| Estimated number of hours and total cost |  |

Please use a separate sheet, or add in extra tables, if you wish to provide details of more than one expert.

**4. FINANCIAL RESOURCES**

**4.1.** Is your gross household income £30,000 per year (£2,500 per month) or less?

|  |
| --- |
| **Tick (√) which applies** |
| **YES** |  |
| **NO** |  |

Please see Notes for Applicants which provide guidance in relation to the definition of gross household income.

* If **YES** - then there is no need for you to complete sections 4.2 or 4.3 of the form. Please **go to section 4.4 (Capital Assets)** and complete the remainder of the form.
* If **NO** - then please complete the following questions (sections 4.2 and 4.3) about your income and expenditure.

**4.2. Income** – Please provide details to confirm the normal amount of your gross household income per year. Please continue on a separate sheet if necessary.

|  |  |
| --- | --- |
| Source of income | Amount |
|  | |  | | --- | | Total Amount £ | |

**4.3. Expenditure** – Please provide details of your normal monthly household expenditure in relation to matters such as mortgage, utility bills, food and other household expenses.

|  |  |
| --- | --- |
| Details | Amount |
|  | |  | | --- | | Total Amount £ | |

**4.4 Capital Assets** – Please provide details of any house or other heritable property in which you and/or your partner has an interest and of any savings and investments held by you or other members of your household

|  |  |
| --- | --- |
| Details | Amount |
|  | |  | | --- | | Total Amount £ | |

**4.5. Capital Liabilities** – Please give details of any debts or liabilities owed by you or other members of your household

|  |  |
| --- | --- |
| Details | Amount |
|  | |  | | --- | | Total Amount £ | |

**5. OTHER FUNDING SOURCES AND FURTHER INFORMATION**

|  |
| --- |
| **5.1. Other Funding Sources –** Please give details of any other resources available to you in relation to the funding of legal representation before the Inquiry. If no such resources are available to you please write “None”. |
| **Your text:** |

|  |
| --- |
| **5.2. Other Information**– Please give any other relevant information you wish to have taken into account. |
| **Your text:** |

**6. DECLARATION**

**I certify that I have no other means of paying for my legal representation.**

**I certify that the information given in this application form is, to the best of my knowledge and belief, true and correct.**

**Signature:**

**Date :**

**Notes for Applicants**

**Financial Resources**

**Gross household income per year**

1. This is the total income from all sources that you **and your partner** expect to receive in the 12 months following the date your application form is received.

2. A “Partner” is someone with whom you normally cohabit as a couple whether you are:

* Married, in a civil partnership or not;
* of the same or opposite sex.

3. In calculating the amount of gross household income per year applicants should not include any income from the following benefits:

* income support;
* an income-based jobseeker’s allowance;
* a back to work bonus payable under the Jobseekers Act 1995;
* any payment made under the Community Care (Direct Payments) Act 1996 or under section 12B of the Social Work (Scotland) Act 1968;
* state pension credit;
* universal credit;
* an income-related employment and support allowance;
* attendance allowance;
* disability living allowance or constant attendance allowance;
* any sums payable to a person as holder of the Victoria Cross or the George Cross; or
* any payment made out of the social fund.

**Expenditure**

4. Applicants should list payments they make regularly each month. This may include such things as:

* Mortgage/rent
* Insurance and Life Assurance
* Pension contributions (other than contributions paid to an employer’s pension scheme by deduction from pay)
* Electricity/gas/other fuel
* Food
* Council tax
* Childcare
* Money paid out in connection with work (e.g. travel costs between home and work; trade union dues; subscriptions to a professional body)
* Maintenance payments
* Parental contribution for a dependent child in full time education
* Loan/credit card repayments

**Capital assets**

5. This is the total net value of all capital assets possessed by you **and your partner** on the date your application form is completed, other than your only or main residence and any tools of your trade. The “net value” of any capital asset is its gross value under deduction of any capital debt associated with that asset, such as a mortgage, hire purchase or loan agreement. Capital assets may include such things as:

* Savings accounts
* Shares
* Bonds
* PEPs/ISAs
* Life assurance or endowment polices unconnected with a mortgage
* Financial interest in any property, land or timeshare other than your only or main residence.

**Declaration**

6. Applicants are required to declare that they have no other means of paying for their legal representation. Other means might include:

* Funding from a professional association or trade union
* Funding from an insurance policy providing legal expenses insurance or professional indemnity insurance
* Funding from an employer in terms of a contract of employment.

7. Your signature will be treated as confirmation that all the information contained in your application form is correct, to the best of your knowledge.

8. The deliberate submission of a false claim is an offence.