



APPLICATION FOR PRIOR AUTHORITY FOR EXPERT WITNESS (CRIMINAL LEGAL AID CERTIFICATES)

- If the authority is required urgently, please write “URGENT”
and provide the hearing date

If no hearing date is available, but the request is still regarded as “URGENT” please complete Section 3(iii) providing a detailed explanation as to the urgency of this request.

- Priority will be given to “Urgent’ requests but only where the circumstances are exceptional.

PRACTITIONERS ARE ASKED TO NOTE:

- The Commission aims to respond to properly completed applications within 10 working days of receipt; all applications will be acknowledged on receipt.
- A separate form must be completed for each estimate. It is recognised that there will be more than one request in any case and that the Solicitor will provide the details for consideration of each request.
- In all cases Sections 1, 2 3 and 5 must be completed as appropriate. Section 4 must be completed where you seek to engage an expert from outside the jurisdiction of Northern Ireland.
- An incomplete form will be returned and will not be registered for consideration until it is returned completed fully. If any section is not relevant, please indicate N/A.
- All requests will be considered by the Commission in line with value for money and audit requirements.
- You may be required to submit alternative estimates in certain circumstances and may be required to provide a copy of the draft letter of instruction to the expert.
- You do not need to send a covering letter.
- This form should be emailed to criminalauthoritiesunit@nilsc.org.uk. Electronic signatures will be accepted provided the form is emailed from the firm’s email account. Postal applications will continue to be accepted until the Commission advises otherwise.

- **On consideration and authorisation (or otherwise) the Commission will provide written confirmation to the practitioner (see Appendix 2) and where possible email the decision back to the solicitor.**

SECTION 1. ASSISTED PERSON

Criminal Certificate Number

Assisted Person's Full Name

ICOS Number

Court Tier - please record as appropriate i.e. Magistrates/County Court Appeal/Crown and Court District

SECTION 2. SOLICITOR DETAILS

Name of Solicitor

Solicitor Legal Aid Ref No.

Firm

Address

DX

Tel

Email

SECTION 3. AUTHORITY SOUGHT

(a) The engagement of an expert is required in this case for the following reasons:

Full reasons should be provided.

Counsel or Solicitor/Advocate opinion should be attached if available.

(b) The volume of documentation to be read is:

pages

An estimate of the Expert Witness’s fee in the format set out at Appendix 1 on his/her official headed notepaper must accompany this application and reflect the full extent of authority requested.

<p>I request authority to instruct the following Expert Witness:</p>	
<p>(i) Name, Address & Type of Expert</p>	
<p>(ii) Please indicate whether it is proposed to instruct the expert to:</p>	
<ul style="list-style-type: none"> • Provide a report based on papers only 	
<ul style="list-style-type: none"> • Provide a report based on papers and examination or assessment of a person 	
<ul style="list-style-type: none"> • Attend Court to give evidence 	
<ul style="list-style-type: none"> • Attend a consultation with other experts/professionals involved 	
<p>(iii) If no hearing date is available please provide a detailed explanation as to the urgency of the request.</p>	
<p>(iv) If the request is being made to engage an expert whose fees are in excess of the rates normally payable, full reasons must be provided as to why this particular expert is required.</p> <p>Note: On consideration of the request you may be required to submit alternative estimates which may include a draft letter of instruction to the expert. Requests to engage experts outside the normal rates payable will be carefully scrutinised by the Commission.</p>	

SECTION 4. EXPERTS FROM OUTSIDE THE JURISDICTION

(a) If it is proposed that an expert is to be engaged from outside the jurisdiction of Northern Ireland, please advise why this expert is required and why an expert from within the jurisdiction is not available/can be engaged

If an expert is to be engaged from outside the jurisdiction, the Commission will require confirmation that full consideration has been given to the use of video link for both consultation and any court appearance.

Please complete either (b) or (c)

- (b) I confirm that video conference facilities are available in this case
- i) for consultation(s)
 - ii) at the court venue
 - iii) at the venue from which the expert will give his/her evidence
 - iv) provide details of the costs that will be incurred

NB The cost of any fees to be incurred locally by the expert for use of video conferencing facilities should be included in the relevant section in Appendix 1.

[This section should be used for confirmation of the facilities available – if facilities available and appropriate for use – the expert should complete the costs for (b)(iii) and (iv) at Appendix 1]

- (c) If it is not appropriate to use video conferencing facilities in this case, please provide detailed reasons as to why the expert is required to attend court in person.

SECTION 5. FOR SIGNATURE BY SOLICITOR

I apply for the authority as outlined above and as per attached expert's estimate.

Signed by Solicitor:

Date:

APPENDIX 1

ESTIMATE OF EXPERT WITNESS'S FEE

To be printed on the expert official headed note paper

Estimate of Experts Witness's Fee The proposed expert <u>must</u> provide on official headed paper an estimate of the likely costs together with breakdown (including confirmation of whether he/she is VAT registered). Fees and hours must be broken down into the following categories and should be quoted exclusive of VAT. The Commission will <u>only</u> accept this template printed to the expert's official headed note paper.	
Nature of estimate – please provide an overview summary of the work that will be provided, should this request be authorised.	
Hours requested. Please provide an itemised breakdown of hours requested to include (where appropriate): <ul style="list-style-type: none">• Examination/assessment of a person or exhibits or evidence, review evidence, locus inspection, report writing.• If the estimate relates to an Engineer please also include the cost of photographs/maps etc if required• Where more than one expert is included in the estimate, please provide a breakdown of the hours to be undertaken by each expert and indicate hourly rates (if different) eg if the estimate relates to an Accountant, please provide an itemised breakdown of the items of work to be undertaken, the number of hours estimated for each item of work and the grade of Accountant, ie. senior/junior consultant, who will be undertaking each item of work.	Hours @ £ ph = £

Appendix 2

Solicitor firm

Our Ref

Your Ref

Date 15/01/13

Dear Sirs,

Re: Certificate: CC/XX Mr

I acknowledge receipt of your recent correspondence and confirm that authority has been granted to obtain the following :

Psychiatrist report etc

Authority is hereby granted subject to the scale of fees incurred being finally assessed by the Commission.

The Authority should not be exceeded unless agreed with the Commission as any additional expenditure may not be reimbursed.

PLEASE NOTE ONLY ORIGINAL AND SIGNED INVOICES CAN BE ACCEPTED FOR AUDIT PURPOSES TO ALLOW ANY ENSUING PAYMENT TO BE MADE

Yours faithfully

Criminal Authorities Unit