

Advice and assistance
and ABWOR accounts



Accounts synopsis forms for civil, children's and criminal advice and assistance/ ABWOR and guidance on how to complete them

This document contains example copies of the new accounts synopsis forms for civil, children's and criminal advice and assistance / ABWOR that are sent by the Board for each individual case. Also included is guidance on how to correctly complete the new accounts synopsis forms covering key points and question by question guidance notes.

May 2007

With the wide ranging changes to advice and assistance that came into use on 1 May 2007, the Board has introduced a number of changes to the accounts synopsis forms, which we automatically send to you for each individual case. The accounts forms are now in a new format, with some changes made to the information you need to provide. There are also now specific accounts forms for each type of advice and assistance. This guidance pack includes examples of each form and guidance to help you correctly complete them.

Future changes

We plan to make a small number of adjustments to the accounts forms in the coming month to improve wording and layout in a small number of places, in response to comments from the profession and experience on how the forms are being completed. We therefore welcome any suggestions for improvements.

Contents

	Page
Key points	3
Civil advice and assistance / ABWOR	4
Guidance notes on completing the civil accounts synopsis	5
Accounts synopsis form example – civil advice and assistance	10
Children’s advice and assistance / ABWOR	12
Guidance notes on completing the children’s accounts synopsis	13
Children’s accounts synopsis form example	18
Criminal advice and assistance / ABWOR	20
Guidance notes on completing the criminal accounts synopsis	21
Criminal accounts synopsis form example	28

Key points

Civil advice and assistance

- If you are sending us a diagnostic account, you must provide a detailed account on a time and line basis in support of your claim. You must send us the account within three months of completing the diagnostic advice and assistance. We cannot accept any supplementary account for work carried out subsequently, or items omitted.
- For standard civil advice and assistance, you must send us the account within 12 months of completing the advice and assistance.
- The minimum fee has been removed from all civil cases granted on or after 1 May 2007. Where advice and assistance has been given before 1 May 2007 and a minimum fee is claimed, accounts can continue to be submitted after 1 May.

Key points to remember when completing the forms

- Use the question by question guidance in this document to help you correctly complete the accounts synopsis forms.
- Please ensure you:
 - complete all sections of this form that we have not already completed, unless they do not apply
 - attach **all** necessary documentation such as vouchers, increases, and the account. At Section C of the accounts forms, you tick to show which documents you are enclosing, so use this as a checklist to ensure all materials are included.

If you do not correctly complete and attach necessary documents, we will return your account for you to send the missing information.

- If you are submitting a final account and have already asked for, or been paid, reimbursement of outlays, include all outlays in the final account. We will deduct any previous payments from the final account and if you have not included them in your final account, we may pay you less than you are due.
- If you do not have enough space to answer a question on the form, please continue your answer on a separate sheet, which you should then attach to the form.
- At Section B, question 1 on all forms you are asked if you have seen more than one client at the same location on the one day, including private clients, and to give details. You only **complete this where you travelled away from your office** to visit your client, such as to visit them in hospital or prison.

Who to contact if you have any questions

- If you have any questions or queries about completing the accounts synopsis forms, please contact our Advice and assistance accounts team on 0131 240 2058.

Civil advice and assistance/ ABWOR accounts form

- Guidance on how to complete the form
- Example copy of a form that we will issue

GUIDANCE NOTES

CIVIL ADVICE AND ASSISTANCE AND CIVIL ABWOR ACCOUNT SYNOPSIS

GENERAL NOTES

Please ensure you:

- complete all sections of this form that we have not already completed, unless they do not apply
- attach all necessary documentation such as vouchers, increases, and the account. If you do not, we will return your account for you to send the missing information.

If you are submitting a final account and have already asked for, or been paid, reimbursement of outlays, include all outlays in the final account. We will deduct any previous payments from the final account and if you have not included them in your final account, we may pay you less than you are due.

If you do not have enough space to answer a question on the form, please **continue your answer on a separate sheet**, which you should then attach to the form.

SECTION A – REGISTRATION DETAILS

1. Type of assistance

Please show whether you have given your client civil advice and assistance or civil ABWOR.

2. Initial limit of authorised expenditure

Enter the initial authorised expenditure for the case.

- If standard civil advice and assistance or ABWOR has been granted this will be £95 or £180.
- If you have given advice and assistance by way of a diagnostic interview then the expenditure limit, which cannot be increased, is £35.

3. Type of claim

Please tick the relevant box to show if you are

- sending us your final account with an application under regulation 16(3) of the Advice and Assistance (Scotland) Regulations 1996 – payment of fees and outlays from property recovered or preserved
- claiming for a diagnostic interview
- making a nil claim – that is, you are not claiming for this grant of advice and assistance
- sending us your final account.

If you are sending us a diagnostic account, please include all work carried out. Under regulation 18 (3A) of the Advice and Assistance (Scotland) Regulations 1996 (“the regulations”), you must send us the account within three months of completing the advice and assistance. We cannot accept any supplementary account for work carried out subsequently, or items omitted.

For standard civil advice and assistance, you must send us the account within 12 months of completing the advice and assistance.

5. Firm code

Please check the firm code is correct. If it is incorrect, please amend it so that we pay the correct firm.

6. Branch code

Please check the branch code is correct. The branch code relates to the branch to which PAYMENT is to be made. Our Receipts and Payments Department sent you a mandate to sign, allowing you to name branches to which you wished to be linked, and issued you with a branch code or codes. If you are only linked to one branch code, we will automatically pay the account to that code. If you are linked to more than one branch code, mark clearly to which branch code you want us to make the payment. (Branch codes were previously known as “account points”.)

7. Solicitor’s own internal reference

If you wish to amend or insert your internal reference, do so here.

SECTION B – DETAILS OF ACCOUNT

1. Apportioned entries

If you travel to visit the client, you must equally apportion travel costs and mileage among all the clients you have visited on that day, whether legal aided or private.

List all the cases and clients dealt with, including advice and assistance and civil legal aid references. If your clients included private clients, show this in the “Legal aid reference” box by writing in “private client” instead of a reference number.

2. Amounts claimed

Please enter the totals you are claiming as follows:

- Fees (excluding VAT)
- Outlays should be broken down into court dues (where applicable), travel, expert outlays, other outlays and counsel. Except court dues, all should include VAT.
- When calculating mileage and any accommodation costs, please add VAT, as we must pay this on these outlays. Enter these outlays in the travel column.
- You should not deduct the client’s contribution from your total. We will do this automatically when processing your payment.

SECTION C – SUPPORTING DOCUMENTATION

Please include all necessary supporting documentation, and tick the boxes to show which supporting documentation is enclosed.

SECTION D

1. Substitution of standard advice and assistance for a diagnostic interview

If you originally approved and gave a diagnostic interview which we subsequently determined should be treated as standard advice and assistance (a shorthand term for advice and assistance which is subject to increases in authorised expenditure), then please answer YES.

The effect of such a determination is that all advice from the effective date of the initial grant was under standard advice and assistance and subject to the appropriate initial level of authorised expenditure. You cannot lodge a separate account for a diagnostic interview which, in retrospect, is deemed never to have taken place.

If, for some reason, we have already paid the diagnostic account and then standard advice and assistance is approved, include the work previously claimed in the diagnostic interview account under any account you send us for the standard grant. We will automatically deduct any sums paid in the diagnostic interview account from the final standard advice and assistance account.

2 & 3. Grant of civil legal aid

If we have granted civil legal aid for the same matter, enter the legal aid reference number. You must send us both accounts at the same time in terms of regulation 18 (1) of the regulations. You cannot, under section 7(2) of the Legal Aid (Scotland) Act 1986 (the "Act"), provide advice and assistance (including ABWOR) in connection with proceedings for which we have granted legal aid.

4. Change of solicitor

We need to know if there has been a change of solicitor in order to check for duplicate claims. We also need this information where property has been recovered or preserved or there is a prospect of this. It allows us to enquire more widely as to the position of expenses or recovery or preservation in the context of all advice given on the same matter. If expenses or property are eventually recovered at a later stage, we are entitled to use these to offset any payments made from the Legal Aid Fund.

SECTION E – EXPENSES AND PROPERTY RECOVERED OR PRESERVED

You can only claim from the Fund fees and outlays, as assessed by the Board, to the extent that they exceed:

- firstly, expenses paid by the opponent,
- secondly, your client's contribution and
- thirdly, if these are not enough, any property recovered or preserved by your client. This is where the client, as a result of advice and assistance, gets something they did not own before or keeps something someone tried to take from them. This

includes a right to that property, even if an opponent made no claim on it – for example, an agreement to sell a jointly owned home, each keeping their own share. It includes conveyancing and succession, where there is no opponent.

1. Expenses

Please tell us whether expenses were recovered for the client. If YES, give details of how much the expenses were and if they were paid in full. If expenses are recovered, we will deduct these from any payment we offer you. We need a full breakdown of the expenses recovered – that is, fees, VAT and outlays – so that we can deduct these. Where you are sending us an application under regulation 16(3), you can include this information on the form. No payment is due from the Legal Aid Fund where the properly incurred fees and outlays, inclusive of VAT, are less than the expenses paid by the opponent.

2-6. Property recovered or preserved

These questions all relate to whether the client has recovered or preserved property, or there are still the prospects of this, in terms of section 12(3) of the Act.

If the advice and assistance concerns a claim for property then you should forward a copy of the minute of agreement, joint minute or terms of settlement with your account.

If a recovery has been made but this is exempt in terms of regulation 16(2), give us details in the box under Question 6. The up-to-date categories which are exempt are in the Civil Legal Assistance Handbook, which is available on our website www.slab.org.uk

Unless the particular property recovered or preserved is exempt under regulation 16(2), you must use that property as the source of payment of your fees and outlays. You may only charge at advice and assistance rates, within the maximum limit of authorised expenditure. You cannot seek payment from the Fund unless

- your properly incurred fees and outlays exceed the value of the property (in which case you can claim any properly incurred excess), or
- we approve an application under regulation 16(3).

If the recovery or preservation is not exempt and you think that your client would suffer grave hardship from paying your account, or there would be undue difficulty or delay on your part, you can submit an application under regulation 16(3). To do so, you should refer to the notes for guidance issued with the form and in the Civil Legal Assistance Handbook. The forms to make an application are *Applicant grave hardship or distress - AA/ HARDSHIP/1* or *Solicitor's application where payments will be delayed or difficult - AA/ HARDSHIP/2*. The forms are available on our website www.slab.org.uk or from our printers, Stewarts tel 0131 659 6010.

If there is insufficient space in any of the boxes in this section, then please continue your answers on a separate sheet.

SECTION F – ABWOR

In terms of regulation 13(1) of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003 we must give prior approval before a solicitor can provide ABWOR for certain proceedings. You must get our approval for:

- proceedings before an employment tribunal
- proceedings under the Proceeds of Crime (Scotland) Act 1995.

More information about the criteria we will consider in deciding whether to approve ABWOR is in the Civil Legal Assistance Handbook.

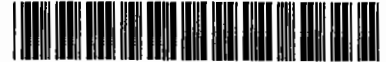
Please indicate whether we have approved ABWOR, and if so, when.

SECTION G

Please sign and date the declaration.



ACKNOWLEDGEMENT OF CIVIL ADVICE & ASSISTANCE AND ACCOUNT SYNOPSIS



Date of acknowledgement:

A&A reference:

Client's name:

Client's personal identifier:

Information with the client' and solicitor details with be pre-printed.

Name and address of organisation submitting account, if different from firm shown:

Keep this acknowledgement of a grant of advice and assistance and send it with your account to the Board's Accounts Registration Section.

SECTION A		REGISTRATION DETAILS	
1	Type of assistance Advice and Assistance <input type="checkbox"/> ABWOR <input type="checkbox"/>	2	Initial limit of authorised expenditure £ 35 <input type="checkbox"/> £ 95 <input type="checkbox"/> £ 180 <input type="checkbox"/>
3	Type of claim (mark one box only)		
	MPS Application under regulation 16(3) of the A&A (Scotland) regulations 1996		<input type="checkbox"/>
	DGS Diagnostic interview		<input type="checkbox"/>
	NIL No claim		<input type="checkbox"/>
	MPS Final account		<input type="checkbox"/>
Solicitor and firm to whom payment is to be made			
4	Solicitor's code number	5	Firm's code number
		6	Branch code
7	Your internal reference		
8	Final authorised expenditure		
9	Client's contribution £	Information for q 4-14 will be pre-printed with your case details	
10	Commencement date		
11	Category code		
12	Subject matter		
13	Client's date of birth		
14	Client's address		

SECTION B		DETAILS OF ACCOUNT		
1	If you have seen more than one client at the same location on one day, including private clients, give details here. (See notes for guidance.)	Legal aid reference	Client's name	
FOR BOARD USE ONLY				
2	Amounts claimed	Amounts paid	With VAT	No VAT
	Fees (excl. VAT)	Fees (excl. VAT)		
	Court dues (if applicable)	Court dues (if applicable)		
	Travel	Travel		
	Expert outlays (incl. VAT)	Expert outlays (incl. VAT)		
	Other outlays (incl. VAT)	Other outlays (incl. VAT)		
	Counsel (incl. VAT)	Counsel (incl. VAT)		
	TOTAL	TOTAL		

SECTION C		DOCUMENTS ENCLOSED IN SUPPORT OF ACCOUNT	
Letters authorising or refusing expenditure requests	<input type="checkbox"/>	All counsel/solicitor advocate fees	<input type="checkbox"/>
Vouchers for outlays	<input type="checkbox"/>	Applications under regulation 16(3)	<input type="checkbox"/>
Minute of agreement, joint minute or documentation setting out terms of settlement			<input type="checkbox"/>

SECTION D		To be completed for all account types	
1	If you originally provided advice and assistance by way of a diagnostic interview, did the Board subsequently authorise standard advice and assistance?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2	Has the applicant applied for, or been granted, civil legal aid in connection with this matter?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	If YES, please give the reference number, if available. (If civil legal aid has been granted, you must send us this claim at the same time as your civil legal aid account.)		
4	Has there been a change in solicitor? If YES, please provide details in the box below.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

SECTION E		EXPENSES AND PROPERTY RECOVERED OR PRESERVED (To be completed for all account types including civil aspects of Proceeds of Crime proceedings)	
1	Is there an award or agreement as to expenses in favour of the applicant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Have the expenses been paid in full?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	How much are the expenses? (Break down into fees, VAT and outlays.)	£	
2	Did the advice and assistance concern a claim for property (including money) either by or against the applicant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	If YES, did the applicant get or keep any property in connection with this matter, including any rights under a settlement?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4	If YES, what is the nature and value of the property (including money)? What was the basis of the claim? Was the applicant successful in either keeping property or getting it returned, and to what value?		
5	If NO, is there still the possibility of expenses being recovered or property (including money) being recovered or preserved? Please provide details below:		
6	Is the property, or any part of it, subject to an exemption by virtue of regulation 16(2)? If so, which exemption applies?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

SECTION F		ASSISTANCE BY WAY OF REPRESENTATION (ABWOR) (You must complete this section if ABWOR has been given.)	
	Was ABWOR granted for a category which required the Board's prior approval under regulation 13? (See notes for guidance.)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If so, when did we approve it?		

SECTION G		CERTIFICATE (to be completed for all claims)	
I certify to the best of my knowledge and belief that the items charged in this account are accurate and represent a true and complete record of all the work done, that all the work was carried out by the solicitor unless otherwise stated in the account and that the person carrying out the work was not engaged in any other business at the time and place except as apportioned in the account.			
Date Solicitor			

Children's advice and assistance/ ABWOR accounts form

- Guidance on how to complete the form
- Example copy of a form that we will issue

GUIDANCE NOTES

CHILDREN'S ADVICE AND ASSISTANCE ACCOUNT SYNOPSIS

GENERAL NOTES

Please ensure you

- complete all sections of this form that we have not already completed, unless they do not apply
- attach all necessary documentation such as vouchers, increases, and the account. If you do not, we will return your account for you to send the missing information.

If you are submitting a final account and have already asked for, or been paid, reimbursement of outlays, include all outlays in the final account. We will deduct any previous payments from the final account and if you have not included them in your final account, we may pay you less than you are due.

If you do not have enough space to answer a question on the form, please **continue your answer on a separate sheet**, which you should then attach to the form.

SECTION A – REGISTRATION DETAILS

1. Type of claim

Please tick the relevant box to show if you are

- sending us your final account with an application under regulation 16(3) of the Advice and Assistance (Scotland) Regulations 1996 – payment of fees and outlays from property recovered or preserved
- claiming the minimum fee
- making a nil claim – that is, you are not claiming for this grant of advice and assistance
- sending us your final account

4. Firm code

Please check the firm code is correct. If it is incorrect, please amend it so that we pay the correct firm.

5. Branch code

Please check the branch code is correct. The branch code relates to the branch to which PAYMENT is to be made. Our Receipts and Payments Department sent you a mandate to sign, allowing you to name branches to which you wished to be linked, and issued you with a branch code or codes. If you are only linked to one branch code, we will automatically pay the account to that code. If you are linked to more than one branch

code, mark clearly to which branch code you want us to make the payment. (Branch codes were previously known as "account points".)

6. Solicitor's own internal reference

If you wish to amend or insert your internal reference, do so here.

SECTION B – DETAILS OF ACCOUNT

1. Apportioned entries

If you travel to visit the client, you must equally apportion travel time and mileage among all the clients you have visited on that day, whether legal aided or private.

List all the cases and clients dealt with, including advice and assistance and civil legal aid references. If your clients included private clients, show this in the "Legal aid reference" box by writing in "private client" instead of a reference number.

2. Amounts claimed

Please enter the totals you are claiming as follows:

- Fees (excluding VAT)
- Outlays should be broken down into travel, expert outlays, other outlays and counsel. Except court dues, all should include VAT.
- When calculating mileage and any accommodation costs, please add VAT, as we must pay this on these outlays. Enter these outlays in the travel column.
- You should not deduct the client's contribution from your total. We will do this automatically when processing your payment.

SECTION C – SUPPORTING DOCUMENTATION

Please include all necessary supporting documentation, and tick the boxes to show which supporting documentation is enclosed.

SECTION D

1. Change of solicitor

We need to know if there has been a change of solicitor in order to check for duplicate claims. We also need this information where property has been recovered or preserved or there is a prospect of this. It allows us to enquire more widely as to the position of expenses or recovery or preservation in the context of all advice given on the same matter. If expenses or property are eventually recovered at a later stage, we are entitled to use these to offset any payments made from the Legal Aid Fund.

2. Appointment to act

a) Appointed by the children's hearing to act as "legal representative" for the child in terms of the Children's Hearings (Legal Representation) (Scotland) Rules 2001

If you have been appointed under these Rules to act as the child's legal representative at the children's hearing, then the local authority pays for work carried out. You cannot, instead of or as well as this, submit a claim for payment from the Legal Aid Fund. You must therefore make **no claim** against the Fund.

b) Appointed by the children's hearing or sheriff to act as "safeguarder" for the child in terms of section 41, Children (Scotland) Act 1995

Any charges of a safeguarder for work carried out solely in that capacity are payable by the local authority in terms of section 41(4) of the Children (Scotland) Act 1995. Advice and assistance can only be provided by a solicitor acting as a solicitor.

- A safeguarder who happens to be a solicitor may, if they so wish, instruct another solicitor to act for them in the usual way. Only the solicitor so instructed can then provide advice and assistance to the safeguarder and the safeguarder, even if a solicitor, cannot be paid from the Legal Aid Fund.
- If, however, the safeguarder, who happens to be a solicitor, prefers to act in a dual capacity as both safeguarder and solicitor, we can pay for only those charges applicable to the provision of legal services under advice and assistance.

c) Appointed by the sheriff to act as a common law curator *ad litem* instead of a safeguarder to the child or relevant person

At present there are no Rules of Court or statutory provisions, unlike the position for safeguarders, concerning the remuneration of curators *ad litem* in children's proceedings. Neither we nor a local authority can pay for any charges of a curator for work carried out solely in that capacity. Advice and assistance can only be provided by a solicitor.

- A curator who happens to be a solicitor may, if they so wish, instruct another solicitor to act for them in the usual way. Only the solicitor so instructed can then provide advice and assistance to the curator and the curator, even if a solicitor, cannot be paid from the Legal Aid Fund.
- If, however, the curator who happens to be a solicitor, prefers to act in a dual capacity as both curator and solicitor, we can pay for only those charges applicable to the provision of legal services under advice and assistance.

d) Appointed by the sheriff to act as a common law curator *ad litem* as well as a safeguarder to the child

If you are appointed by the sheriff to act as a common law curator *ad litem* as well as a safeguarder to the child, the safeguarder's fees must be met from the relevant local authority in terms of section 41(4) of the Children (Scotland) Act 1995. There is no provision to meet the fees of the curator *ad litem* from the Legal Aid Fund. Advice and assistance can only be provided by a solicitor acting as a solicitor.

3 If you were appointed a safeguarder did you also provide additional legal services to the child/relevant person.

If the answer is NO and you did not provide any legal services to or on behalf of the child you cannot submit a claim for payment from the Legal Aid Fund. You must therefore make no claim.

4 If yes, explain how these legal services differ from the work you carried out in your capacity as a safeguarder and/or curator and tell us if you intend to submit a claim for payment to the local authority in terms of section 41(4) of the Children (Scotland) Act 1995

We have to ensure that there is no duplication of work charged for and paid by the local authority and the Board. You cannot charge the local authority and us for the same items of work. We may ask you for a copy of the invoice you have submitted or intend to submit to the local authority if the situation is not clear and to ensure that there has not been any double charging.

5 If your client was a child under 12 years of age and you were not acting in a representative capacity, explain how you were satisfied that the child had the capacity to instruct you directly and understand the proceedings

If we receive an account in respect of a solicitor acting directly for a child aged 12 or more we are entitled to assume that you (the solicitor) have satisfied yourself that the child has a general understanding of what it means to instruct a solicitor. If the child is under 12 years of age we need you to give us information confirming that you have satisfied yourself that the child in question does in fact have a general understanding of what it means to instruct a solicitor.

SECTION E – EXPENSES AND PROPERTY RECOVERED OR PRESERVED

You can only claim from the Fund fees and outlays, as assessed by the Board, to the extent that they exceed:

- firstly, expenses paid by the opponent,
- secondly, your client's contribution and
- thirdly, if these are not enough, any property recovered or preserved by your client. This is where the client, as a result of advice and assistance, gets something they did not own before or keeps something someone tried to take from them. This includes a right to that property, even if an opponent made no claim on it.

1. Expenses

Please tell us whether expenses were recovered for the client. If YES, give details of how much the expenses were and if they were paid in full. If expenses are recovered, we will deduct these from any payment we offer you. We need a full breakdown of the expenses recovered – that is, fees, VAT and outlays – so that we can deduct these. Where you are sending us an application under regulation 16(3), you can include this information on the form. No payment is due from the Legal Aid Fund where the properly incurred fees and outlays, inclusive of VAT, are less than the expenses paid by the opponent.

2-6. Property recovered or preserved

These questions all relate to whether the client has recovered or preserved property, or there are still the prospects of this, in terms of section 12(3) of the Act.

If the advice and assistance concerns a claim for property then you should forward a copy of the minute of agreement, joint minute or terms of settlement with your account.

If a recovery has been made but this is exempt in terms of regulation 16(2), give us details in the box under question 6. The up-to-date categories which are exempt are in the Scottish Civil Legal Assistance Handbook which is available on our website www.slab.org.uk

Unless the particular property recovered or preserved is exempt under regulation 16(2), you must use that property as the source of payment of your fees and outlays. You may only charge at advice and assistance rates, within the maximum limit of authorised expenditure. You cannot seek payment from the Fund unless

- your properly incurred fees and outlays exceed the value of the property (in which case you can claim any properly incurred excess), or
- we approve an application under regulation 16(3).

If the recovery or preservation is not exempt and you think that your client would suffer grave hardship from paying your account, or there would be undue difficulty or delay on your part, you can submit an application under regulation 16(3). To do so, you should refer to the notes for guidance issued with the form and in the Children's Legal Assistance Handbook. The forms to make an application are *Applicant grave hardship or distress - AA/ HARDSHIP/1* or *Solicitor's application where payments will be delayed or difficult -AA/ HARDSHIP/2*. The forms are available on our website www.slab.org.uk or from our printers, Stewarts tel 0131 659 6010.

If there is insufficient space in any of the boxes in this section, then please continue your answers on a separate sheet.

SECTION F

Please sign and date the declaration.



**ACKNOWLEDGEMENT OF CHILDREN'S
ADVICE & ASSISTANCE AND ACCOUNT
SYNOPSIS**



Date of acknowledgement:
A&A reference:

Client's name:

Client's personal identifier:

Information with the client' and
solicitor details with be
pre-printed.

Name and address of organisation submitting account, if
different from firm shown:

Keep this acknowledgement of a grant of advice and assistance and send it with your account to the Board's Accounts Registration Section.

SECTION A		REGISTRATION DETAILS		
1	Advice and assistance for matters relating to the Children (Scotland) Act 1995, Part II Chapters 2 and 3 only	£ 95	<input type="checkbox"/>	
2	Type of claim (mark one box only)			
	MPS Application under regulation 16(3) of the A&A (Scotland) regulations 1996.		<input type="checkbox"/>	
	MFS Minimum Fee		<input type="checkbox"/>	
	NIL No claim		<input type="checkbox"/>	
	MPS Final account		<input type="checkbox"/>	
Solicitor and firm to whom payment is to be made				
3	Solicitor's code number	4	Firm's code number	5
				Branch code
6	Your internal reference			
7	Final authorised expenditure			
8	Client's contribution	£	Information for q 4-13 will be pre-printed with your case details	
9	Commencement date			
10	Category code			
11	Subject matter			
12	Client's date of birth			
13	Client's address			

SECTION B		DETAILS OF ACCOUNT		
1	If you have seen more than one client at the same location on one day, including private clients, give details here. (See notes for guidance.)	Legal aid reference	Client's name	
		FOR BOARD USE ONLY		
2	Amounts claimed	Amounts paid	With VAT	No VAT
	Fees (excl. VAT)	Fees (excl. VAT)		
	Court dues (if applicable)	Court dues (if applicable)		
	Travel	Travel		
	Expert outlays (incl. VAT)	Expert outlays (incl. VAT)		
	Other outlays (incl. VAT)	Other outlays (incl. VAT)		
	Counsel (incl. VAT)	Counsel (incl. VAT)		
	TOTAL	TOTAL		

SECTION C		DOCUMENTS ENCLOSED IN SUPPORT OF ACCOUNT	
Letters authorising or refusing expenditure requests	<input type="checkbox"/>	All counsel/solicitor advocate fees	<input type="checkbox"/>
Vouchers for outlays	<input type="checkbox"/>	Applications under regulation 16(3)	<input type="checkbox"/>
Copy grounds of appeal	<input type="checkbox"/>	Confirmation of appointment as safeguarder/ curator	<input type="checkbox"/>

SECTION D			
1	Has there been a change in solicitor? If YES, please provide details in the box below		Yes <input type="checkbox"/> No <input type="checkbox"/>
2	Were you appointed to act by:		
	a)	the children's hearing, as "legal representative" for the child in terms of the Children's Hearings (Legal Representation) (Scotland) Rules 2001?	Yes <input type="checkbox"/> No <input type="checkbox"/>
	b)	the children's hearing or sheriff, as "safeguarder" for the child in terms of section 41 Children (Scotland) Act 1995	Yes <input type="checkbox"/> No <input type="checkbox"/>
	c)	the sheriff, as a common law curator ad litem instead of a safeguarder to the child or relevant person	Yes <input type="checkbox"/> No <input type="checkbox"/>
	d)	the sheriff, as a common law curator ad litem as well as a safeguarder to the child	Yes <input type="checkbox"/> No <input type="checkbox"/>
If the answer to any of these questions is YES, you may not be able to make a claim against the Legal Aid Fund (see guidance).			
3	If you were appointed a safeguarder or curator ad litem, did you provide additional legal services to the child/relevant person? If NO, you cannot make any claim on the Legal Aid Fund (see notes for guidance)		Yes <input type="checkbox"/> No <input type="checkbox"/>
4	If YES, explain how these legal services differ from the work you carried out in your capacity as a safeguarder and/or curator and tell us if you intend to submit a claim for payment to the local authority in terms of section 41 (4) of the Children (Scotland) Act 1995 (see notes for guidance)		
5	If your client was a child under 12 years of age and you were not acting in a representative capacity, explain how you were satisfied that the child had the capacity to instruct you directly and understand the proceedings		
6	Has children's legal aid been granted in terms of section 29 of the Legal Aid (Scotland) Act 1986 in relation to this subject matter?		Yes <input type="checkbox"/> No <input type="checkbox"/>
	If YES, enter: the legal aid reference number	the date of the legal aid certificate	

SECTION E		EXPENSES AND PROPERTY RECOVERED OR PRESERVED (To be completed for all account types)	
1	Is there an award or agreement as to expenses in favour of the applicant?		Yes <input type="checkbox"/> No <input type="checkbox"/>
	Have the expenses been paid in full?		Yes <input type="checkbox"/> No <input type="checkbox"/>
	How much are the expenses? (Break down into fees, VAT and outlays.) (£)		
2	Did the advice and assistance concern a claim for property (including money) either by or against the applicant		Yes <input type="checkbox"/> No <input type="checkbox"/>
3	If YES, did the applicant get or keep any property in connection with this matter, including any rights under a settlement?		Yes <input type="checkbox"/> No <input type="checkbox"/>
4	If YES, what is the nature and value of the property (including money). What was the basis of the claim? Was the applicant successful in either keeping property or getting it returned, and to what value?		
5	If NO, is there still the possibility of expenses being recovered or property (including money) being recovered or preserved? Please provide details below:		
6	Is the property, or any part of it, subject to an exemption by virtue of regulation 16(2)? If so, which exemption applies?		Yes <input type="checkbox"/> No <input type="checkbox"/>

SECTION F		CERTIFICATE (to be completed for all claims)	
I certify to the best of my knowledge and belief that the items charged in this account are accurate and represent a true and complete record of all the work done, that all the work was carried out by the solicitor unless otherwise stated in the account and that the person carrying out the work was not engaged in any other business at the time and place except as apportioned in the account.			
Date Solicitor			

Criminal advice and assistance/ ABWOR accounts form

- Guidance on how to complete the form
- Example copy of a form that we will issue

GUIDANCE NOTES

CRIMINAL ADVICE AND ASSISTANCE AND ABWOR ACCOUNT SYNOPSIS

GENERAL NOTES

Please ensure you

- complete all sections of this form that we have not already completed, unless they do not apply
- attach all necessary documentation such as vouchers, increases, and the account. If you do not, we will return your account for you to send the missing information.

If you are submitting a final account and have already asked for, or been paid, reimbursement of outlays, include all outlays in the final account. We will deduct any previous payments from the final account and if you have not included them in your final account, we may pay you less than you are due.

If you do not have enough space to answer a question on the form, please **continue your answer on a separate sheet**, which you should then attach to the form.

SECTION A – REGISTRATION DETAILS

1. Type of assistance

Please show whether you have given your client criminal advice and assistance or criminal ABWOR.

2. Initial limit of authorised expenditure

Enter the initial authorised expenditure for the case.

3. Type of claim

Please tick the relevant box to show if you are

- claiming a minimum fee
- making a nil claim – that is, you are not claiming for this grant of advice and assistance
- sending us your final account.

5. Firm code

Please check the firm code is correct. If it is incorrect, please amend it so that we pay the correct firm.

6. Branch code

Please check the branch code is correct. The branch code relates to the branch to which PAYMENT is to be made. Our Receipts and Payments Department sent you a mandate to sign, allowing you to name branches to which you wished to be linked, and issued you with a branch code or codes. If you are only linked to one branch code, we will automatically pay the account to that code. If you are linked to more than one branch code, mark clearly to which branch code you want us to make the payment. (Branch codes were previously known as “account points”.)

7. Solicitor’s own internal reference

If you wish to amend or insert your internal reference, do so here.

SECTION B – DETAILS OF ACCOUNT

1. Apportioned entries

If you travel to visit the client, you must equally apportion travel costs and mileage among all the clients you have visited on that day, whether legal aided or private.

List all the cases and clients dealt with, including advice and assistance and legal aid references. If your clients included private clients, show this in the “Legal aid reference” box by writing in “private client” instead of a reference number.

2. Amounts claimed

Please enter the totals you are claiming as follows:

- Fees (excluding VAT)
- Outlays should be broken down into court dues (where appropriate), travel, expert outlays, other outlays and counsel. Except court dues, all should include VAT.
- When calculating mileage and any accommodation costs, please add VAT, as we must pay this on these outlays. Enter these outlays in the travel column.
- You should not deduct the client’s contribution from your total. We will do this automatically when processing your payment.

SECTION C – SUPPORTING DOCUMENTATION

Please include all necessary supporting documentation, and tick the boxes to show which supporting documentation is enclosed.

SECTION D – CRIMINAL LEGAL AID

1. Application for criminal legal aid

You must tell us if criminal legal aid has been applied for in relation to the matter for which you gave the advice and assistance. If an application has been made, give the reference number and state whether it was granted. If legal aid was granted, give the date of grant.

2 & 3. Automatic criminal legal aid

Automatic criminal legal aid is available in both summary and solemn cases in the circumstances set out in section 22 of the Legal Aid (Scotland) Act 1986 (the Act). You

cannot grant advice and assistance after criminal legal aid has been granted, or undertake any work under an existing grant of advice and assistance. You cannot, in terms of section 7(2) of the Act, provide advice and assistance (including ABWOR) in connection with proceedings for which legal aid has been granted.

Details of when other automatic cover is available can found in section 22 of the Act, which is on our website www.slab.org.uk.

4. Applicant appearing from custody

If the client appeared from custody in relation to this matter, you cannot claim ABWOR, as the duty and duty follow-up schemes cover any representation. The only exceptions currently are the pilot schemes running in West Lothian and Grampian (see mailshot of 8 June 2006, which is available on our website).

5. Pilot courts

Please complete the boxes to indicate if the case was held in a youth court, drug court, domestic abuse court or other pilot scheme currently being run.

6. Change of solicitor

We need to know if there has been a change of solicitor in order to check for duplicate claims. We also need to know in cases where property has been recovered or preserved or there is a prospect of this. This includes proceeds of crime cases. This information allows us to enquire more widely as to the position of expenses or recovery or preservation in the context of all advice given on the same matter. If expenses or property are eventually recovered at a later stage, we are entitled to use these to offset any payments made from the Legal Aid Fund.

SECTION E – ABWOR

1. Grant of ABWOR under regulation 3(a)

Please show whether you are giving your client ABWOR under regulation 3(a).

2. Proceedings in which you gave ABWOR under regulation 3(a)

If the answer to question 1 is YES, tick one of the boxes showing the proceedings for which you gave ABWOR.

3. Tests for granting ABWOR

A. If you ticked one of boxes a) to c), how were you satisfied that the tests in regulation 7(1) were met

If you ticked one of boxes a) to c), complete section A showing how you were satisfied that the tests in regulation 7(1) of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003 (the regulations) shown in the box below, were met.

7. - (1) The assistance by way of representation described in regulation 6(1)(a) and (b) above shall be provided under Part II of the Act only where the solicitor to whom application has been made is satisfied that –
(a) the offence is such that if proved it is likely that the court will impose a sentence which would deprive the applicant of liberty or lead to loss of

the applicant's livelihood;

- (b) it is in the interests of justice to tender the plea or, as the case may be, raise the question; and
- (c) it is reasonable in the particular circumstances of the case that assistance by way of representation be made available.

B. If you ticked one of boxes d) to g), show in section B why representation was necessary.

For each box you tick, give us details to support your decision to grant ABWOR.

5. Grant of ABWOR other than under regulation 3(a)

If you granted ABWOR for a matter other than one covered by regulation 3(a), tick the relevant box to show the proceedings for which you gave it.

5a) Proceedings under the Criminal Procedure (Scotland) Act 1995

If you provided ABWOR under regulation 4 – proceedings under the Criminal Procedure (Scotland) Act 1995 – you must also tell us under which sub paragraph you provided the cover (see below).

(2) Part II of the Act shall apply to assistance by way of representation in relation to proceedings –

- (a) under section 229A or 232 in relation to a probation progress review, or, as the case may be, failure to comply with the requirements of a probation order;
- (b) under section 233 in relation to the conviction of a probationer by a court in Great Britain of an offence committed during his or her probation period;
- (c) under section 239(4) to (6) in relation to failure to comply with the requirements of a community service order;
- (d) under section 240(1) and (3) in relation to amendment or revocation of a community service order;
- (e) under paragraph 4 of Schedule 7 in relation to failure to comply with the requirements of a supervised attendance order;
- (f) under paragraph 5(1) and (3) of Schedule 7 in relation to amendment or revocation of a supervised attendance order;
- (g) under section 234A(6) in relation to revocation or variation of a non-harassment order;
- (h) under section 234E, 234F or 234G in relation to the variation or revocation of a drug treatment and testing order, the review of a drug treatment and testing order, or, as the case may be, the failure to comply with any requirement of a drug treatment and testing order;

- (i) under section 245E or 245F in relation to the variation or revocation of a restriction of liberty order, or, as the case may be, the failure to comply with any of the requirements of a restriction of liberty order;
- (j) under section 90B, 90C, 90D or 90E in relation to orders made in respect of witnesses apprehended under Section 90A, breach of bail, the review or orders made, or, as the case may be, appeals in respect of orders made (obstructive witness).

You must also tell us whether the proceedings took place in a drug court. There is no cover for representation before a drug court, regulation 4 having been disapplied. ABWOR is only available for post conviction hearings in the drug court if it was already being provided under regulation 3(a) in the proceedings, as part of the sentencing procedure.

5b) Proceedings under the Proceeds of Crime (Scotland) Act 1995 and Proceeds of Crime Act 2002

If you provided ABWOR under regulation 5 – proceedings under the Proceeds of Crime (Scotland) Act 1995 and Proceeds of Crime Act 2002 – tell us under which sub paragraph (see below) you provided ABWOR.

- (a) applications under section 5(3) in relation to an application for property not to be treated as a gift;
- (b) appeals under section 5(4) in relation to an appeal against a refusal of an application under section 5(3);
- (c) applications under section 6(3) in relation to an application for property not to be treated as an implicative gift;
- (d) appeals under section 6(4) in relation to an appeal against a refusal of an application under section 6(3);
- (e) applications, by someone other than the accused, under section 18(7) in relation to a discharge or variation of an order under section 18(2);
- (f) applications under section 25 in relation to a recall or variation of a suspended forfeiture order or section 26 in relation to property wrongly forfeited: return or compensation;
- (g) appeals under section 27 in relation to an appeal against a court decision under section 25(1) or 26(1);
- (h) applications under section 45(2)(b) in relation to the disposal of a family home where representations are made to the court by someone other than the accused; and
- (i) representations made to the court under section 92 of the Proceeds of Crime Act 2002 by any person, other than the accused, who is likely to be affected by a confiscation order.

6. Board's prior approval for ABWOR

In terms of regulation 13 you must get our approval before you can provide ABWOR to your client for certain proceedings under regulation 3 and all proceedings under regulation 5. These proceedings are:

- applications under section 42 of the Road Traffic Offenders Act 1988 for the removal of a disqualification
- applications, by someone other than the accused, under section 31(6) of the Criminal Law (Consolidation) (Scotland) Act 1995
- all proceedings under Proceeds of Crime (Scotland) Act 1995 and the Proceeds of Crime Act 2002 (Regulation 5).

If you provided ABWOR for any of these proceedings, enter the date you received our authority to do so here.

SECTION F – CUSTODIAL SENTENCE

If a guilty plea was tendered, tell us whether a custodial sentence was imposed. Give us the date, nature and outcome of each diet. If there is insufficient space, continue on a separate sheet of paper.

SECTION G – EXPENSES, PROPERTY RECOVERED OR PRESERVED INCLUDING PROCEEDS OF CRIME

You can only claim from the Fund fees and outlays, as assessed by the Board, to the extent that they exceed:

- first, expenses paid by the opponent
- second, your client's contribution and
- third, if these are not enough, any property recovered or preserved by your client. This is where the client, as a result of advice and assistance, gets something they did not own before or keeps something someone tried to take from them, such as a forfeited sound system or motor vehicle. It clearly includes property, including money, which the Crown attempts to confiscate under the Proceeds of Crime legislation and which your client keeps or preserves intact as a result of the advice and assistance (including ABWOR).

1. Expenses

Please tell us whether expenses were recovered for the client. If YES, give details of how much the expenses were and if they were paid in full. If expenses are recovered, we will deduct these from any payment we offer you. We need a full breakdown of the expenses recovered – that is, fees, VAT and outlays – so that we can deduct these. Where you are sending us an application under regulation 16(3), you can include this information on the form. No payment is due from the Legal Aid Fund where the properly incurred fees and outlays, inclusive of VAT, are less than the expenses paid by the opponent.

2-6. Property recovered or preserved

These questions all relate to whether the client has recovered or preserved property, or there are still the prospects of this, in terms of section 12(3) of the Act.

- If the advice and assistance given concerns a claim for property or property was at issue in any way, then you should forward a copy of any joint minute, decree, final interlocutor or alternative settlement documentation.
- If a recovery has been made but this is exempt in terms of regulation 16(2) of the Advice and Assistance (Scotland) Regulations 1996, give us details in question 5 – for example, a house, or tools of trade. The up-to-date details of the categories which are exempt are in the Legal Assistance Handbook which is available on our website www.slab.org.uk
- Unless the particular property recovered or preserved is subject to an exemption under regulation 16(2), you must use that property as the source of payment of your fees and outlays. You may only charge at advice and assistance rates, within the maximum limit of authorised expenditure. No payment can be sought from the Fund unless
 - your properly incurred fees and outlays exceed the value of the property (in which case any properly incurred excess may be claimed), or
 - we approve an application under regulation 16(3).

If the recovery or preservation is not exempt and you think that your client would suffer grave hardship from paying your account, or there would be undue difficulty or delay on your part, you can submit a hardship application under regulation 16(3). To do so, you should refer to the notes for guidance issued with the form. (Detailed guidance is also in the Scottish Civil Legal Assistance Handbook.) The forms to make an application are *Applicant grave hardship or distress - AA/ HARDSHIP/1* or *Solicitor's application where payments will be delayed or difficult -AA/ HARDSHIP/2*. The forms are available on our website www.slab.org.uk or from our printers, Stewarts tel 0131 659 6010.

If there is insufficient space in any of the boxes in this section, continue your answers on a separate sheet.

SECTION H

Please sign and date the declaration.



ACKNOWLEDGEMENT OF CRIMINAL ADVICE & ASSISTANCE AND ACCOUNT SYNOPSIS



Date of Acknowledgement: .

A&A Reference: .

Client's name: .

Client's personal identifier: .

Information with the client' and solicitor details with be pre-printed.

Name and address of organisation submitting account, if different from firm shown:

Keep this acknowledgement of a grant of advice and assistance and send it with your account to the Board's Accounts Registration Section.

SECTION A		REGISTRATION DETAILS	
1	Type of assistance Advice and Assistance <input type="checkbox"/> ABWOR <input type="checkbox"/>	2	Initial limit of authorised expenditure £ 80 <input type="checkbox"/> £150 <input type="checkbox"/>
3	Type of claim (mark one box only)		
	MPS Application under regulation 16(3) of the A&A (Scotland) regulations 1996		<input type="checkbox"/>
	MFS Minimum Fee		<input type="checkbox"/>
	NIL No claim		<input type="checkbox"/>
	MPS Final account		<input type="checkbox"/>
Solicitor and firm to whom payment is to be made			
4	Solicitor's code number	5	Firm's code number
		6	Branch code
7	Your internal reference		
8	Final authorised expenditure		
9	Client's contribution £	Information for q 4-16 will be pre-printed with your case details	
10	Commencement date		
11	Category code		
12	Subject matter		
13	Procurator Fiscal Ref		
14	Court High/Sheriff/District at		
15	Client's date of birth		
16	Client's address		

SECTION B		DETAILS OF ACCOUNT		
1	If you have seen more than one client at the same location on one day, including private clients, give details here. (See notes for guidance.)	Legal aid reference	Client's name	
		FOR BOARD USE ONLY		
2	Amounts claimed	Amounts paid	With VAT	No VAT
	Fees (excl. VAT)	Fees (excl. VAT)		
	Court dues (if applicable)	Court dues (if applicable)		
	Travel	Travel		
	Expert outlays (incl. VAT)	Expert outlays (incl. VAT)		
	Other outlays (incl. VAT)	Other outlays (incl. VAT)		
	Counsel (incl. VAT)	Counsel (incl. VAT)		
	TOTAL	TOTAL		

SECTION C		DOCUMENTS ENCLOSED IN SUPPORT OF ACCOUNT	
Increase in expenditure requests, even if refused	<input type="checkbox"/>	All counsel/solicitor advocate fees	<input type="checkbox"/>
Vouchers for outlays	<input type="checkbox"/>	Applications under regulation 16(3)	<input type="checkbox"/>

SECTION D		To be completed for all account types	
1	Has the applicant applied for criminal legal aid in connection with this matter?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If YES, has criminal legal aid been granted?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If YES, what was the effective date of the grant?		
	What is the legal aid reference number (whether granted or not)?		
2	Was automatic criminal legal aid provided in connection with this matter?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	If YES, which category?		
	From what date?		
	What is the legal aid reference number (if allocated)?		
4	Did the applicant appear from custody in connection with this matter?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5	Was this a case in a:		
	Youth court	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Drugs court	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Domestic abuse court	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Summary justice pilot court	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Other pilot scheme	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6	If other pilot scheme, please provide details		
	Has there been a change in solicitor? If YES, please provide details below:	Yes <input type="checkbox"/>	No <input type="checkbox"/>

SECTION E		ASSISTANCE BY WAY OF REPRESENTATION	
1	Did you give ABWOR for summary criminal matters under regulation 3(a) of the Advice and Assistance by Way of Representation (Scotland) Regulations 2003?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2	If YES please tick the appropriate box to show proceedings for which you gave ABWOR		
	a) At a diet at which a plea to the competency or relevancy was tendered		<input type="checkbox"/>
	b) At a diet at which a plea in bar of trial was tendered		<input type="checkbox"/>
	c) At a diet (other than a diet which has been preceded by a plea of not guilty) at which a question within the meaning of rule 31.1(1) of the Act of Adjournment (Criminal Procedure Rules) 1996 was raised		<input type="checkbox"/>
	d) At a diet at which was tendered a plea of guilty to the charges or a plea of guilty to part thereof, which partial plea was accepted by the prosecutor.		<input type="checkbox"/>
	e) At a diet at which the court was considering the accused's plea of guilty, where there had been no change of plea		<input type="checkbox"/>
	f) At a diet at which the court was considering the accused's changed plea of guilty, and no application for criminal legal aid has been made.		<input type="checkbox"/>
	g) At a diet at which the court ordered a proof in mitigation		<input type="checkbox"/>
	h) Following a finding of guilty in a youth court, domestic abuse court or summary justice pilot court where criminal legal aid was not granted		<input type="checkbox"/>
3	Tests for granting ABWOR		
	A If you ticked one of boxes a) to c), how were you satisfied that the tests in regulation 7(1) were met? (please see notes for guidance)		
	B If you ticked one of boxes d) to g), show for which of the following reasons you provided representation, and give details:		
	it was likely the accused would lose his liberty		
	it was likely that the accused would lose his livelihood		

	c)	the accused was unable to understand the proceedings or make their own plea in mitigation because of (please provide details)	
	i	age	
	ii	inadequate knowledge of English language	
	iii	mental illness	
	iv	other mental or physical disability	
	v	other incapacity	
4		Did you give ABWOR for a matter other than one covered by regulation 3(a) of the Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003?	Yes <input type="checkbox"/> No <input type="checkbox"/>
5		If YES, show the proceedings for which you gave ABWOR below:	
	a)	Regulation 4 – proceedings under the Criminal Procedure (Scotland) Act 1995. Please specify below under which sub paragraph of regulation 4(2) you provided ABWOR – Did those proceedings take place in a drug court, as designated by the Sheriff Principal?	
	b)	Regulation 5 – proceedings under the Proceeds of Crime (Scotland) Act 1995 and Proceeds of Crime Act 2002. Please specify below under which sub paragraph of regulation 5(2) you provided ABWOR – *	
	c)	Proceedings in Parole Board case	
	d)	Application under section 42 of the Road Traffic Offenders Act 1988 for the removal of disqualification *	
	e)	Proceedings under section 66(6) of the Criminal Justice and Public Order Act 1994 for the return of sound equipment	
	f)	Proceedings in connection with an application for a warrant of further detention, or for an extension of such a warrant, made to the sheriff under paragraph 29 or 36 of schedule 8 of the Terrorism Act 2000.	
	g)	Hearing under paragraph 12 or paragraph 59 of the schedule to the Convention Rights (Compliance) (Scotland) Act 2001	
	h)	Hearing under section 10(2F) of the Prisoners and Criminal Proceedings (Scotland) Act 1993	
	i)	Application, by someone other than the accused, under section 31(6) of the Criminal Law (Consolidation) (Scotland) Act *	
	j)	Application under section 57 or 58 of the Police, Public Order and Criminal Justice (Scotland) Act 2006 in relation to the variation or termination of a football banning order under section 51 of that Act	
	k)	Other category (please provide details)	
		*You must have obtained our approval before giving ABWOR for proceedings marked with an asterisk	
6		Was the ABWOR for proceedings for which you needed the Board's prior approval under regulation 13 (see notes for guidance)	Yes <input type="checkbox"/> No <input type="checkbox"/>
		If so, when did you receive authority	

SECTION F		CUSTODIAL SENTENCE	
Was a custodial sentence imposed?			Yes <input type="checkbox"/> No <input type="checkbox"/>
Date Of Diet	Nature of Diet	Outcome including sentence	

SECTION G		EXPENSES AND PROPERTY RECOVERED OR PRESERVED (Must be completed in all cases where property is recovered or preserved, including criminal aspects of all Proceeds of Crime cases).	
1	Is there an award or agreement as to expenses in favour of the applicant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	Have the expenses been paid in full?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	How much are the expenses (Break down into fees, VAT and outlays)		
2	Did the advice and assistance concern a claim for property (including money) either by or against the applicant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3	If YES, did the applicant get or keep any property in connection with this matter, including any rights under a settlement?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4	If YES, what is the nature and value of the property (including money). What was the basis of the claim? Was the applicant successful in either keeping property or obtaining its return, and to what value?		
5	If NO, is there still the possibility of either expenses being recovered or recovery or preservation of property. Please provide details below:		
6	Is the property, or any part of it, subject to an exemption by virtue of regulation 16(2)? If so, which exemption applies?		

SECTION H	CERTIFICATE (to be completed for all claims)
I certify to the best of my knowledge and belief that the items charged in this account are accurate and represent a true and complete record of all the work done, that all the work was carried out by the solicitor unless otherwise stated in the account and that the person carrying out the work was not engaged in any other business at the time and place except as apportioned in the account.	
Date	Solicitor