

# legal services

COMMISSION

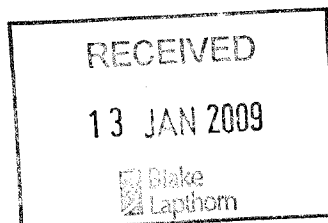
## Special Cases Unit

Exchange Tower, 2 Harbour Exchange Square, London E14 9GE  
Dx 100170 Docklands 2

Tel: 020 7718 8002

John White  
Messrs Blake Laphorn

DX 155850 Eastleigh 7



Our Ref: 68b/jhb/017/09/003/pac  
Your Ref: 516130/000001/jcw/Gosport/fxe  
Date: 12<sup>th</sup> January 2009

Dear Sirs,

### Exceptional Funding Application – s6(8)(b) Access to Justice Act 1999

I acknowledge receipt of your client's application and confirm that I will deal with the application personally. Please note my contact details above.

You will be aware from the guidance contained in the LSC Manual, Volume 3, Chapter 27, (see LSC Website at [www.legalservices.gov.uk](http://www.legalservices.gov.uk)) that I can refuse such an application (subject to appeal in writing only to the Commissions Head of Funding Policy within 14 days) but cannot grant it. If I think funding should be provided I make a recommendation to the Ministry of Justice and the decision to fund or not is taken at Ministerial level.

This can take a number of weeks from receipt of all the information necessary for me to make a decision and there is no emergency process. In certain circumstances because it is a grant system it may be possible to cover funding prior to the decision being made. In practice the grant will usually only be backdated to the date on which the recommendation is made to the Ministry.

The amount of the grant is based on the detailed costs calculation that is a requirement of the application (see Chapter 27 for details and rates that apply).

Code A

*g*



Community  
Legal Service



I am unable to make a decision on your application because I need the following information, documents or clarification: -

1. Can you provide the cost information in more detail as required in Chapter 27 at 27.6.6 and 7.
2. Can you confirm why this application was not made at an earlier stage given that there was a PIH in August 2008. See Ch 27.6.10.
3. Can you confirm that given that the applicant is out of scope for legal aid (her capital) you are asking the commission to recommend waiving eligibility limits.
4. Can you confirm if the coroner is treating all or any of the inquests as Article 2 HRA Inquests.
5. Can you confirm the financial eligibility (in general terms for the moment) of the other members of the applicants family (I note Victoria is on incapacity benefit).
6. Can you confirm the financial eligibility (in general terms for the moment) of the other 9 families. How many will play an active part in the Inquest especially the generic element?

When I have been provided with the information sought I will be in a position to consider the application further.

Yours sincerely,

  
**Code A**

**John Baker**  
**Solicitor and Senior Case Manager**