

Secretariat

4 Abbey Orchard St
LONDON
SW1P 2BS

DX: 328 London
T: 020 7 783 7000
F: 020 7 783 7632
www.legalservices.gov.uk

Fred Robinson

Our ref: S/IC/FOI (19) – Log No 1086
Our E-mail: foi@legalservices.gov.uk

By email only [request-4282-e4828c6a@whatdotheyknow.com,
request-4162-68d13faf@whatdotheyknow.com]

Date: 12 12 2008

Dear Mr Robinson

Re: Your Freedom of Information Act (FOI) request

Thank you for your emails received on the 15 and 19 November 2008 where you requested the following information:

1. 'Will you confirm or deny a clients public funding can be withdrawn by the application of the client solicitors for their fees.'
2. 'When an unsigned statement composed by a solicitor obtains funding for his client without his clients agreement or knowledge of the unsigned document, is a legally binding contract formed between the Solicitor and the Commission.'

From the information you have supplied above, we are unable to ascertain exactly what information you require. We are therefore unable to answer your request without further clarification.

I will mention that an application for funding does not itself generally create a contract between a solicitor and the Commission. Before April 2000, the solicitor would apply for funding and receive payment under relevant legislation rather than under a contract. Since April 2000 it is has generally been a requirement that, in order to apply for funding in an individual case, the solicitor's firm or organisation holds a contract with the Commission to carry out publicly funded work, and payment would be made under that contract. In either case, an application would generally be invalid if it is not made on the instructions of the client."

If you have any queries about this letter, please contact us at the above address. Please remember to quote the reference number above in any future correspondence.

Yours sincerely

Naomi Badu
Information Compliance Adviser





CUSTOMER SERVICE EXCELLENCE