

BB/BC ref:	
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Section A – Deceased Member’s Details

Rank:		D.O.B:	
First Name:		Surname:	
Date joined:		Date of death:	
Force:			
Home address: (and postcode)			

Section B – Applicant’s Details

Suffix:		Name:	
Telephone:		Email:	
Relationship to Member:			
Home address: (and postcode)			

Section C – Federation Representative’s Details

First Name:		Surname:	
Rank:		Force:	
Telephone:		Email:	

Section D – Legal Assistance Required

What is the cause of death (if known)

	Yes	No
Has an inquest been held or is to be held?	<input type="checkbox"/>	<input type="checkbox"/>
If yes, please provide date, location and outcome		

	Yes	No
Has a Grant of Probate/Letter of Administration been taken out?	<input type="checkbox"/>	<input type="checkbox"/>
If no, do you wish the PFEW Solicitors to attend to this?	<input type="checkbox"/>	<input type="checkbox"/>

Please indicate whether the following certificates are available and provide copies of those that are	Yes	No
Birth	<input type="checkbox"/>	<input type="checkbox"/>
Marriage	<input type="checkbox"/>	<input type="checkbox"/>
Decree Absolute	<input type="checkbox"/>	<input type="checkbox"/>
Death	<input type="checkbox"/>	<input type="checkbox"/>

Details of deceased Member's Personal Representative/Next of kin (only to be supplied if different from the details in Section B)

Suffix:		Name:	
Telephone:		Email:	
Relationship to Member:			
Home address: (and postcode)			

Name, address and details of the deceased Member's children or other dependants:

Dependant 1

Name:		D.O.B:	
Relationship to Member:			
Home address: (and postcode)			

Dependant 2

Name:		D.O.B:	
Relationship to Member:			
Home address: (and postcode)			

Dependant 3

Name:		D.O.B:	
Relationship to Member:			
Home address: (and postcode)			

For more dependants, please detail on a separate sheet.

Section J – Personal and Special Category Data

In considering this application and providing the professional advice and/or legal assistance (“Legal Assistance”), the PFEW (which includes the officers, staff and representatives of its offices in Leatherhead, and the officers, staff and representatives in the Branch Board and Branch Council in the Police Force where the deceased Member worked), will process the Applicant’s personal data and/or special category data and the personal data and/or special category data of the deceased Qualifying Member’s personal representatives, next of kin and dependants (“Relevant Others”). The PFEW considers that such processing is necessary for the purposes of:

- This agreement, including obtaining professional and/or legal advice in connection with legal proceedings, (including prospective legal proceedings) and establishing, exercising and defending legal rights; and/or
- The legitimate interests of the PFEW.

In all cases, processing could include the PFEW sharing the personal data and special category data of the Applicant and/or Relevant Others with professional advisors or solicitors (“Advisors”) and with any third party authorised by the PFEW (including, but not limited to, other professional advisors or solicitors, experts, insurers and costs assessors) (“Authorised Third Parties”) and the Advisors and Authorised Third Party sharing the Applicant’s and/or Relevant Other’s personal data and special category data with the PFEW.

The PFEW’s legitimate interests include ensuring that the PFEW manages its funds in accordance with its fund rules and that the PFEW, Applicants and/or Relevant Others are receiving appropriate, good quality and value for money Legal Assistance.

The Applicant’s and/or Relevant Other’s personal data and special category data will be held by the PFEW in the UK. It will be held electronically and may also be held in paper form and, in whatever form the data is held, will be destroyed six years after completion of matters arising out of this application.

Section K – Applicant’s Declaration – Terms and Conditions

I certify that:

	Yes	No
The deceased Member was a Qualifying Member of the PFEW at the date of their death		

Legal Assistance Conditions

The Police Federation of England and Wales (“PFEW”) is considering providing professional advice and/or legal assistance (“Legal Assistance”) to you as the personal representative, next of kin or dependent of a deceased Qualifying Member of the PFEW, in each case, (“You or Your”).

Decisions to provide Legal Assistance will be made in accordance with Part 4 (as amended) of the Police Federation (England and Wales) Regulations 2017 and The Police Federation Fund Rules, as approved from time to time by the Secretary of State for Home Affairs (together “the Rules”) and the PFEW’s “Legal Assistance – Funding Criteria”.

Before making this application for Legal Assistance, You must have made all reasonable enquiries of whether You have alternative sources of funding, including but not limited to Legal Aid, if you are eligible for the same, the Police Force and/or PCC for the area in which the deceased Member worked.

The PFEW will not provide Legal Assistance where Legal Aid is available to You and You are not required to make any financial contribution (“Contribution”) towards that Legal Aid. Where You are offered Legal Aid which requires You to make a Contribution the PFEW may:

- a) Refuse to provide You with Legal Assistance if You unreasonably refuse that offer of Legal Aid, or where the PFEW does not agree that You should refuse that offer;
- b) Agree to indemnify You against, or provide financial support, for the amount of the Contribution.

The PFEW will consider Your application for Legal Assistance based on the information You provide in this application together with any supporting documents or information (“Information”) it receives about Your application. You warrant that all Information provided by You is accurate and truthful to the best of Your knowledge and belief. Notwithstanding the PFEW considering your application for Legal Assistance, it remains Your responsibility to ensure that any claim, investigation or proceedings for which Legal Assistance is sought (“Proceedings”) are commenced in accordance with the time limits of those Proceedings.

Legal Assistance will be subject to ongoing monitoring and review and the PFEW reserves the right to withdraw Legal Assistance at any time, and for whatever reason, in its absolute discretion, relating to any Proceedings for which Legal Assistance has been provided.

Legal Assistance may include payment of, or contribution to, costs or payments (including fees) that You are required to pay to other parties to Proceedings, and/or third parties, and/or Your own legal fees and costs (together referred to as “Costs”) and/or the difference between the premium payable for After the Event Legal Expenses Insurance (“ATE”) that You obtain in relation to Proceedings and the amount You recover in Proceedings for that ATE premium.

In the event that the PFEW agrees to provide You with Legal Assistance, You must instruct advisors or solicitors (“Advisors”) who have agreed to act in accordance with the PFEW’s Service Level Agreement (“SLA”)/Terms of Business Agreement (“TOBA”). The PFEW shall not be liable for any Costs You incur, or become liable to pay, prior to the PFEW agreeing to provide you with Legal Assistance, or prior to the

Advisors agreeing to act in accordance with the SLA/TOBA, nor where that liability has arisen or been incurred other than in accordance with the terms of the SLA/TOBA.

Where the PFEW reasonably considers, or is advised (whether by the Advisors, a third party, or as a consequence of a decision, determination or judgement in the Proceedings) that You have made or committed any dishonest or misleading declaration, act or omission when submitting this application or during the Proceedings, or where You behave or have behaved unreasonably, Legal Assistance will be withdrawn. The PFEW will not pay any Costs or Adverse Costs consequently upon the aforesaid matters and the PFEW will be entitled to recover from You any payment it has made, or is liable to pay, in relation to those Proceedings.

You agree that, in the event that the PFEW recovers any Costs it has paid in respect of the Proceedings, it will be entitled to retain those Costs

You further agree that, in the event of You receiving or being entitled to payment for Costs, including accepting an offer for, or being awarded any damages or compensation in Proceedings (“Award”), You will repay to the PFEW, from any payment made to You for Your Costs and/or Award that amount of Your Costs as the PFEW has paid, or will be liable to pay, on Your behalf, and/or where payment is made to Your Advisors, to instruct them to pay that sum to the PFEW.

You further agree that You shall:

- a) Tell the PFEW and the Advisors immediately of anything that may materially affect the Proceedings, or alter the Advisors assessment of the Proceedings, or the PFEW’s decision to continue providing you with Legal Assistance;
- b) Co-operate fully with the PFEW and the Advisors and with any Court or Tribunal;
- c) Give the Advisors any instructions required and not act unreasonably in the conduct of the Proceedings;
- d) Take reasonable steps to recover any Costs that are recoverable and that the PFEW has paid;
- e) Instruct the Advisors to have Your Costs assessed or audited if requested by the PFEW or recommended by the Advisors;
- f) Minimize any Costs that the PFEW has to pay;
- g) Not terminate your retainer with the Advisors without the consent of the PFEW;

In signing, I confirm that I am agreeing to the above Conditions.

Signature:		Date:	
Full Name:			

Section L – for completion by Branch Secretary or decision maker

Eligibility for legal assistance

	Yes	No
The application is made by or on behalf of the personal representative, next of kin or dependent of a deceased Qualifying Member and the Applicant is entitled to seek the assistance of the PFEW		

Legal Aid/MOPAC/Chief Constable/Police & Crime Commissioner Funding

An application has been made:

	Yes	No
• For Legal Aid		
• To MOPAC/The Office of The PCC		
• To the Chief Constable		
The application was refused		
The application was successful but is not acceptable to the applicant		
If yes to either of the above please provide details below		

Where the PFEW considers the applicant's costs should be met by MOPAC, the Chief Constable or PCC in the area where the applicant works, the PFEW may wish to discuss this with those bodies. The applicant will be consulted in advance of such discussions but where they object, this may affect the decision to provide legal assistance.

	Yes	No
This case is suitable for the Licensed/Direct Access (Bar Direct) Schemes		

I wish to recommend the following Advisor (e.g. Solicitor/Barrister/Expert)

Name:		Firm/Chambers:	
Telephone:		Email:	
Address (including postcode):			
Reason for recommendation:			

I confirm this case arises from an incident, which is covered by the PFEW fund rules. All relevant circulars and entries in the PFEW legal service funding criteria, procedures and membership services handbook have been complied with.

Authorised Signature:		Date:	
Full Name:			