**Application for Financial Assistance with a Complaint (Art. 11)**

All decisions taken regarding legal funding must be considered in light of the relevant provisions contained within the Northern Ireland Commissioner for Children and Young People (NI) Order 2003. Article 11 of the Order applies to applications for financial assistance with a complaint.

APPLICANT: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SOLICITOR: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ADDRESS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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TELEPHONE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

EMAIL: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Please provide as much detail as possible when answering the questions below. It is not sufficient to simply attach documents. Any documentation attached should be additional information to assist with your application, not as a substitute for completing the application form.**

1. LEGISLATIVE CRITERIA FOR APPLICATION UNDER ARTICLE 11
2. **Is the complaint that the rights of the child or young person have been infringed or adversely affected?**

Yes/No (delete as appropriate) If you have answered ‘Yes’ please provide details:

1. **Is there any other person or body likely to provide financial assistance?**

Yes/No (delete as appropriate) If you have answered ‘Yes’ please provide details:

1. IF THE APPLICATION HAS MET THE LEGISLATIVE CRITERIA, THEN THE FOLLOWING MUST BE CONSIDERED:

NICCY has a limited budget and therefore the availability of resources and whether the cost is commensurate with the potential strategic benefit to be gained are both key factors. This will be considered in light of both the availability of budget and any further potential costs to the organisation, if for example an appeal were lodged, or costs could be awarded against NICCY.

1. **Outline why the case is so exceptional that the Commissioner’s finite budget should be used to fund your client to bring the case?**

In each case all the secondary criteria for a particular type of application should be met unless there is a justifiable reason for pursuing the matter which falls outside of these criteria.

1. SECONDARY CRITERIA FOR APPLICATION UNDER ARTICLE 11
2. **Does the complaint concern an area which has been highlighted to us through our complaints casework function?**

Yes/No (delete as appropriate). If you have answered ‘Yes’ please give details:

1. **Would the child or young person be unable to pursue their complaint properly without financial assistance from NICCY?**

Yes/No (delete as appropriate). If you have answered ‘Yes’ please give details:

1. **Is there potential to bring about a change in policy or practice which could benefit either this child or a number of children in the future?**

Yes/No (delete as appropriate). If you have answered ‘Yes’ please give details:

Should you feel you meet the requirements outlined above, please ensure you have provided detailed answers to the questions on the previous pages to allow our Legal Funding Committee to make an informed and complete assessment of your application.

Failure to provide sufficient information will result in the assessment of your application being delayed.

**The Applicant shall be informed of the decision within 5 working days of the Legal Funding Committee meeting taking place.**

**In the event of a refusal to support through funding, the Applicant shall have a right of appeal. This must be filed with the Commissioner within 10 working days of the date of the letter refusing funding or assistance.**

**The Commissioner alone shall consider the Appeal within 15 working days. An appeal shall only be successful if the Legal Funding Criteria have not been applied correctly.**

**OFFICE USE ONLY**

1. **Justification for proposed spend:**
2. **Meeting Details:**

**Date:**

  **Attendees:**

1. **Chief Executive Approval:**

**Signature: Date:**

1. **In the event of non-approval – reasons:**
2. **Commissioner Approval (in cases of Judicial Review)**

**Signature: Date:**