



NATIONAL UNION OF RAIL, MARITIME & TRANSPORT WORKERS
Application for Legal Assistance
CRIMINAL/LICENSING REPRESENTATION

**Form
L3**

Mr/Ms* First Names Surname
* Delete as appropriate

Membership No Date of birth

Date joined RMT Branch

Address

..... Post Code.....

Daytime phone No Mobile Email

Relevant date of incident or license revocation/suspension:/...../.....

Relevant date and location of arrest (if applicable):/...../..... at.....

Relevant date and venue of any upcoming hearings/...../..... at.....

Relevant date and venue of conviction/council decision (if applicable):/...../..... at.....

Did this matter take place within the course your employment? Yes No

Will you lose your job / livelihood if unsuccessful in this matter? Yes No

Date received by Branch Secretary:/...../.....

Date received at Head Office:/...../..... File ref

IMPORTANT: TIME LIMITS

Please complete this form and send it to your Branch Secretary to enable your claim to be recorded. Do not delay in submitting the form with the fullest possible detail and relevant papers. Please note it is your responsibility to comply with any time limits and to attend any court/police station attendances in your case.

Please note that there are time limits for appeals. If a decision is taken to provide representation all fees will be paid or reimbursed should the union take up your case. This does not cover prosecution costs, Court fees, fines, victim surcharges or the Criminal Court Charge should you be unsuccessful. The Union accepts no liabilities in respect of lodging or not lodging appeals. The Union will expect you to apply for Legal Aid in all cases where this is available and to submit details to the relevant authorities in a timely manner.

TERMS UPON WHICH THE UNION AND THEIR LAWYERS UNDERTAKE CLAIMS

Legal representation is discretionary and according to Rule. Noting that Rule 15(6) provides “Should it be found that the necessity for legal assistance has been caused by drunkenness, wilful neglect of duty, or by any criminal act on the part of the member, this assistance shall not be granted and should a case be taken up and lost in consequence of the member’s own false statements and the court orders the member to bear costs of the other side, the Union shall not pay the same.” The Union’s Lawyers will assess the prospects of success in your case and advise the Union and member whether the claim stands a reasonable prospect of success. If it does not, it is unlikely the Union will support the Case. This position will be reviewed throughout the course of the case.

Completing this form creates no obligation on the Union or their lawyers to take on your case or continue to represent you in the Magistrates/Crown Court if your defence/appeal does not stand a reasonable prospect of success at any stage in the proceedings.

Further, if you refuse to accept the Union's lawyers advice, or if you fail to cooperate with or provide prompt instructions to the Union's lawyers or instruct the Union's lawyers to conduct the case in an unreasonable way, then the Union can instruct the lawyers to cease acting in the case. In such circumstances, the Union and their lawyers will not be responsible for any costs incurred by you from the date of ceasing to act.

If the Union is to provide representation, in signing this form you acknowledge that you are responsible for Court fees, victim surcharges, fines, the Criminal Court Charge as well as the costs of both prosecution (and defence where the member has been legally aided) and are also responsible for your own Legal Aid contributions.

DECLARATION BY MEMBER

1. I hereby certify that I have read and understood the basis upon which the Union and their Solicitors will pursue my criminal case/licensing appeal. Should I fall into arrears of contributions, the Solicitors will be instructed to take no further action on my behalf until I have paid the outstanding arrears.

2. Under the Data Protection Act, 1998, I must give express consent for the processing of personal data. In giving this consent, I accept that the information relevant to my case must be accessible to designated/appropriate Union lawyers, RMT Officers and staff. Further, I understand that should representation be declined and a subsequent appeal be lodged under Rule, a summary of my case will be published in the relevant Decisions of the Council of Executives or Annual General Meeting.

3. I hereby authorise the Union's lawyers to disclose to the Union details of my case and any court verdict and I agree that the Union may use this information for the purposes of publicity and /or recruitment including disclosure in any media.

4. Where relevant I also authorise the Union or Union Solicitors to make any application to reclaim costs from the other side in relation to my case.

Signed _____ **Dated** _____

DECLARATION BY BRANCH SECRETARY

1. I certify that this member is in benefit in accordance with Rule 2. I will inform Head Office if, to my knowledge, the member falls out of benefit during the progress of the case or was not a member / out of benefit at the time of the offence / revocation of their license.

2. I confirm that I have explained the above declaration to the member who has agreed to instruct the Union and their lawyers on that basis.

Signed _____ **Dated** _____

MEMBER'S CASE

Please tick the box for the type of complaint you want assistance with. If more than one complaint, tick each appropriate box.

Driving Offence (in work)

Theft (in work)

Sexual Offence (in work)

Offences Against the Person - including common assault (in work)

Driving Licence Revocation

Other (please provide full details)

Have you received a court hearing/summons from the police or other authority? Yes No

If so, please attach a copy of any letters, summonses, Court hearing notices etc.

.....

Have you applied for or been granted state legal aid? Yes No

If yes, please send a copy of the confirmation with this form.

CONTRIBUTIONS

It is important to understand that while a Case in a criminal court is proceeding on your behalf it is your responsibility to remain in benefit in accordance with Rule 2 and to maintain legal aid payments (if relevant) throughout the duration of the case. This usually means that membership contributions' must be paid while legal assistance is being provided. If you do not think this applies to you, please call our membership department to check on 020 7387 4771.

EMPLOYMENT DETAILS

Dates of employment/self-employment. From: To:

Name and address of the employer (provide own business/company details if self-employed).

Name: _____

Address _____

Telephone No: _____

Please give the place where you worked or applied to work if different from above.

Please say what job you did in this employment/self-employment (or what job you applied for). If this does not apply, please say where applicable what your connection was with the employer.

Please give number of normal basic hours worked each week.

Hours per week _____

Please give your earnings details.

Basic Wage/Salary/Income £ per.....

Average take home Pay £ per.....

Other benefits/payments _____

Other Solicitors Details

Have you already consulted a solicitor in connection with the offence? Yes No

(if yes provide contact details below)

.....

Were you represented at the police station by a solicitor? Yes No

(if yes provide contact details below)

.....

Police Station Details

1. Please supply details of any police stations that you have attended or have been asked to attend below.

2. Date(s) of attendance _____

3. (Police) Officer in the Case's Name, Number and Contact Details:

Court Details

1. Please supply details of Court you have been asked to appear before or have already appeared before.

2. Date(s) of Hearing _____

Case Details

Don't delay, our solicitors need your papers

To assess the merits of the case, the papers that would be taken into consideration by a Court need to be presented to our solicitors. Please provide copies of all relevant documentation e.g.: Summons; Court Documents; Council minutes; Police documents; Hearing and/or Appeal documents with this form.

1. Please give details of and events leading up to the alleged offence/licence revocation. It will help if you could list each incident in chronological order. Please attach a separate sheet of paper if there is not enough space. Please also outline why you wish the Union to provide you legal representation, indicating where applicable your intended plea i.e. Guilty with mitigation or Not Guilty.

.....
.....
.....
.....
.....
.....
.....
.....

2. Any other relevant information. (e.g. witnesses details, where documents can be obtained, etc).

.....
.....
.....
.....