

LITIGATION FRIEND SERVICE

THE ROLE

On completion of the referral form the appointed Litigation Friend would meet with the client in order to ascertain (where possible) their wishes and feelings in relation to the issues. Following this meeting/meetings, all COP Forms associated with the Litigation Friend role would be completed. The Litigation Friend would then take all steps to liaise with the client and all appointed legal representatives in order to give the client a voice, and to facilitate their full participation in proceedings. The extent of the Litigation Friend role would depend on the level of support required and the particular circumstances of the client but would include attending court with, or, on behalf of the client where required.

Where the client is represented by solicitors or counsel, we would not ordinarily seek to make any changes in this respect but would continue to instruct current representation in relation to the matter.

FUNDING

This is not a 'free of charge' service. MHM Wales are able to provide this service at an hourly rate of £27.00*. Issues of funding have been problematic in this area, and there are several options:

- ✎ Private Funding;
- ✎ Supervisory Body – Costs for the Litigation Friend Service to be met by the Supervisory Body by prior agreement;
- ✎ Health Board – Costs for the Litigation Friend Service to be met by the Health Board by prior agreement;
- ✎ Combined/Split Funding provided by SB/HB as agreed (see above)
- ✎ Public Funding – Costs to be met via a prior authority application upon the public funding certificate;
- ✎ Order of the Court – an order may be sought from the Court at the first available Directions Hearing in relation to the funding for this service, where there is an available Litigation Friend but no available funding.

*Please note that travel and disbursement costs are billable separately at our normal rate.

COSTS INDEMNITY

Should appropriate funding be secured by the client/client's solicitor we would also seek to be indemnified in relation to any costs implications arising from any proceedings issued.