

# How to submit a civil sanction application

## Introduction

In this topic we are going to look at how to submit a sanction application

If you would like to give feedback on this training you can do so by completing this short [form](#). You can also request further training via a [webinar](#) or check out the other guidance materials in the [e-learning](#) section of the [LAOL information hub](#).

- **Caution**



The Legal Aid Online screens used in this topic are simply for explaining the system's functionality and therefore do not always demonstrate a sequential process.

## Creating a sanction application

To create a sanction click on the 'Civil' tab and then select 'Sanction'.



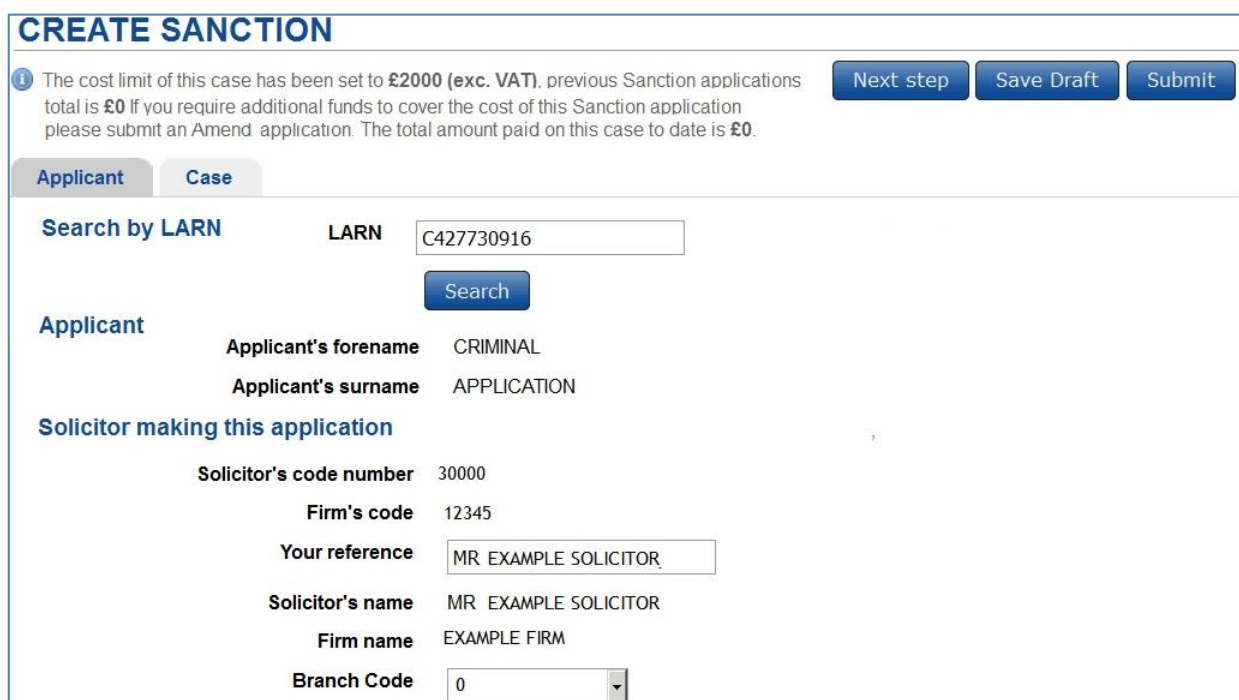
You can then search for the case by entering the LARN. Entering the LARN displays the 'Create Sanction' screen.



Sanction is not always required for a child welfare report. If you are applying for cover that relates to a child welfare report please see our [interactive flowchart](#) to find out if sanction is required.

## Applicant Tab

Before progressing to the next tab you should check that the applicant's details are correct. You can also change your branch code or update your internal reference.



## Case Tab

If a date has been set for the 'next court appearance' you should enter the date and select the purpose of the hearing. If a court date has not been set this field can be left blank. You should then select the sanction type you are seeking. Once you select a sanction type additional tabs will be displayed.

Notifications	Search	A&A ▾	Civil ▾	Criminal ▾	Children's ▾	Duty Scheme	Accounts
---------------	--------	-------	---------	------------	--------------	-------------	----------

### CREATE SANCTION

Previous step

Save Draft

Submit

**i** The cost limit of this case has been set to **£2000 (exc. VAT)**, previous Sanction applications total is **£0** If you require additional funds to cover the cost of this Sanction application, please submit an Amend application.  
The total amount paid on this case to date is **£0**.

Applicant

Case

Date of the next court appearance

(DD/MM/YYYY)

Details of the purpose of the next court hearing

-- Please Select -- ▾

Expert & Templates \*

☐

Counsel \*

☐

Unusual \*

☐

Previous step

Save Draft

Submit

In this example as we have selected all the sanction types a tab relating to each sanction type is displayed.

Notifications	Search	A&A ▾	Civil ▾	Criminal ▾	Children's ▾	Duty Scheme	Accounts
---------------	--------	-------	---------	------------	--------------	-------------	----------

### CREATE SANCTION

Previous step

Next step

Save Draft

Submit

**i** The cost limit of this case has been set to **£2000 (exc. VAT)**, previous Sanction applications total is **£0** If you require additional funds to cover the cost of this Sanction application, please submit an Amend application.  
The total amount paid on this case to date is **£0**.

Applicant

Case

Sanction for Experts

Sanction for Counsel

Sanction for Unusual Expenditure

Date of the next court appearance

24/10/2016

(DD/MM/YYYY)

Details of the purpose of the next court hearing

Proof ▾

Expert & Templates \*

☒

Counsel \*

☒

Unusual \*

☒

Previous step

Next step

Save Draft

Submit

## Sanction for Experts

The sanction for experts tab contains important information explaining when you can use a template sanction. You should familiarise yourself with this information and the template guidance in the [Civil Handbook](#) at section 7.31.

Applicant

Case

Sanction for Experts

Sanction for Counsel

Sanction for Unusual Expenditure

Information

Where you are seeking sanction for the first time to instruct a particular expert to prepare a report or to use mediation, there may be a template for this work and outlays. The template categories and authorised expenditure (excluding VAT) are shown at Question 1.

The templates do NOT include producing a supplementary report. Even if you have sufficient funding left over within the template limit after you have obtained the first report you should apply for funding for the supplementary report at Section E. If we grant sanction for an expert using the templates, you do not have to make another sanction request to cover the experts attendance at court, provided the costs of this attendance are within the limits shown in the Civil Legal Assistance Handbook.

If this is your FIRST request to instruct a category of expert or mediation, you can ask for sanction for only ONE expert or mediation in EACH template category.

For example, you can use templates for reports from a gynaecologist and a midwife. But if you want sanction for two gynaecologists reports, you can only use a template for one in this section, and ask for the second at Section E. If you previously made a first sanction request for a gynaecologist using a template, and you now want sanction for a midwife report, you can use this section.

Templates cannot be used for retrospective sanction requests. If you are making a retrospective sanction request please use Section E.

Information

By applying for a template you are confirming that

- \* you understand that the fees to be charged are within the approved level of expenditure
- \* this is the first time you have applied for sanction for this category of expert report or mediation
- \* you have undertaken the work necessary for the template to be used as set out in our guidance in the Civil Legal Assistance Handbook
- \* that the request is not retrospective.

Type \* 

Template

You can request sanction for one or more experts by selecting either the 'template' or 'custom' option.

## Template sanction



- A Template sanction should only be used where a grant of legal aid is in place.
- If you are applying for sanction prior to a decision being made on your legal aid application you **MUST** use the custom sanction option.
- The template should not be used if you are applying for retrospective sanction or where you previously requested sanction for the same type of expert, even if this was refused.

In this example we have selected a template sanction. Template types will only be displayed where they are relevant to your case category.

Information

By applying for a template you are confirming that

\* you understand that the fees to be charged are within the approved level of expenditure

\* this is the first time you have applied for sanction for this category of expert report or mediation

\* you have undertaken the work necessary for the template to be used as set out in our guidance in the Civil Legal Assistance Handbook

\* that the request is not retrospective.

Type \*

Template

Professional experts

Add [10] DNA testing £500

Add [14] Expert social worker £1000

Add [15] Handwriting £600

Experts in family cases

Add [1] Actuarial - matrimonial cases £500

Add [2] Valuation of business - matrimonial cases £1000

Add [3] Valuation of matrimonial home £400

Add [4] Valuation of property other than matrimonial home or business - matrimonial cases £400

Medical - in cases other than medical negligence

Add [32] Psychiatric £550

Mediation

Add [56] Mediation - family cases £600

All Experts

Expert	Expenditure	Action
--------	-------------	--------

Previous step

Next step

Save Draft

Submit

Select the 'Add' link next to the template you wish to include. The template chosen will then be displayed in the list at the bottom of the screen. Select 'Delete' if you wish to remove the template.

Experts in family cases

Add [1] Actuarial - matrimonial cases £500  
Add [2] Valuation of business - matrimonial cases £1000  
Add [4] Valuation of property other than matrimonial home or business - matrimonial cases £400

Medical - in cases other than medical negligence

Add [32] Psychiatric £550

Mediation

Add [56] Mediation - family cases £600

All Experts

Expert	Expenditure	Action
Valuation of matrimonial home	400	Delete

Previous step

Next step

Save Draft

Submit

## Custom Sanctions



If you are applying for sanction prior to a decision being made on your legal aid application you **MUST** use the custom sanction option.

You must complete all the mandatory questions.

**Fields of Expertise:** You should enter the details of the field of expertise and the work you require them to carry out.

**Costs:** If you select 'Yes' to quote attached you must ensure that you attach a copy of the quote. If you select 'No' you should enter a breakdown of the experts costs.

Please remember to include VAT when completing the costs of the expert.

<b>Type *</b>		Custom
<b>Name And Address</b>		
<b>Expert's title *</b>	<input type="text"/>	
<b>Expert's name *</b>	<input type="text"/>	
<b>Name of expert company or organisation</b>	<input type="text"/>	
<b>House/Building number</b>	<input type="text"/>	
<b>House/Building Name/Street</b>	<input type="text"/>	
<b>Town/City *</b>	<input type="text"/>	
<b>Postcode</b>	<input type="text"/>	
<b>Country</b>	UNITED KINGDOM	
<b>Field Of Expertise</b>		
<b>Field of expertise *</b>	<input type="text"/>	
	2000 left	
<b>Provide a report based on papers only</b>	<input checked="" type="checkbox"/>	
<b>provide a report based on a site examination</b>	<input checked="" type="checkbox"/>	
<b>Provide a report based on an examination of a person</b>	<input type="checkbox"/>	
<b>Attend a consultation with legal representatives</b>	<input type="checkbox"/>	
<b>Attend court to give evidence where expert's report not sanctioned under current legal certificate</b>	<input type="checkbox"/>	
<b>other</b>	<input type="checkbox"/>	
<b>Costs</b>		
<b>Expert Quote Attached *</b>	No	
<b>Reports</b> The number of hours	<input type="text"/>	
<b>Expert's hourly charge</b>	<input type="text"/>	
<b>Travel</b> The number of hours	<input type="text"/>	
<b>Expert's hourly charge</b>	<input type="text"/>	

## Sanction for Counsel

When you select the 'Sanction for Counsel' tab you will be taken to the screen below.

Enter the details of the work you want counsel to undertake and ensure you select all that apply. You should then select who you propose to instruct. In the example above we have selected 'one junior'.

In the 'Why do you need counsel?' field you must enter detailed reasons why you consider it is necessary to employ counsel.

Information on applying for sanction for the employment of counsel can be found in the [Civil Handbook](#) in sections 7.8 to 7.28.

Applicant	Case	Sanction for Experts	Sanction for Counsel	Sanction for Unusual Expenditure														
<p><b>Select work items for Counsel :</b></p> <p>(At least one item needs to be selected) *</p> <table><tr><td>a note or opinion</td><td><input checked="" type="checkbox"/></td></tr><tr><td>a consultation</td><td><input checked="" type="checkbox"/></td></tr><tr><td>drafting or revising papers</td><td><input type="checkbox"/></td></tr><tr><td>a preliminary plea debate or like hearing</td><td><input type="checkbox"/></td></tr><tr><td>the proof</td><td><input type="checkbox"/></td></tr><tr><td>the appeal</td><td><input type="checkbox"/></td></tr><tr><td>other</td><td><input type="checkbox"/></td></tr></table> <p><b>Who do you propose to instruct? *</b> <input type="text" value="one junior"/></p> <p><b>Why do you need counsel. Please give detailed reasons. *</b> <input type="text" value="Enter information"/></p> <div><input type="button" value="Previous step"/> <input type="button" value="Next step"/> <input type="button" value="Save Draft"/> <input type="button" value="Submit"/></div>					a note or opinion	<input checked="" type="checkbox"/>	a consultation	<input checked="" type="checkbox"/>	drafting or revising papers	<input type="checkbox"/>	a preliminary plea debate or like hearing	<input type="checkbox"/>	the proof	<input type="checkbox"/>	the appeal	<input type="checkbox"/>	other	<input type="checkbox"/>
a note or opinion	<input checked="" type="checkbox"/>																	
a consultation	<input checked="" type="checkbox"/>																	
drafting or revising papers	<input type="checkbox"/>																	
a preliminary plea debate or like hearing	<input type="checkbox"/>																	
the proof	<input type="checkbox"/>																	
the appeal	<input type="checkbox"/>																	
other	<input type="checkbox"/>																	



Remember you will only be paid for the work carried out by counsel where this work has been sanctioned.

## Sanction for Unusual Expenditure

If you need to apply for sanction for work of an unusual nature or unusually large expenditure you should select the 'Sanction for Unusual Expenditure' tab.

You should complete all the mandatory questions marked '\*' and ensure that you provide sufficient information to allow your request to be considered.

Information on applying for sanction for work of an usual nature or unusually high expenditure can be found in the [Civil Handbook](#) at section 7.41.

Applicant

Case

Sanction for Experts

Sanction for Counsel

Sanction for Unusual Expenditure

Information

Unusual work includes commissions and sanction is required irrespective of the total cost.

Information

Unusually large expenditure is a single item of work that costs £2,000 or more - for example, a child welfare report in a contact case.

Is sanction being sought for \*

Unusual Work

Total amount sanction sought for \*

800

Details of unusual work or expenditure \*

Enter details

1986 left

Reasons why sanction should be granted \*

Enter reasons

1986 left

Have other steps been considered? \*

Yes

Details of other steps  
Why the other steps were not considered. \*

Enter information

1982 left

Previous step

Save Draft

Submit

Once you have completed your request select 'Submit'



Remember if you are not ready to submit the request, select 'Save Draft' if you need to exit the screen.



Selecting 'Submit' will open the 'Create attachment' screen.

You should then select the type of document you are attaching from the drop down list.

Notifications

Search

A&A

Civil

Criminal

Children's

Duty Scheme

Accounts

Duty

CREATE ATTACHMENT

Add Attachments

Information

Please ensure you are aware of the **Boards Scanning Guidance**, which can be found [here](#)  
Maximum size of file to be uploaded is 10 MB  
Please note that choosing the wrong application type and or Document type may result in delays with your application being processed

LARN

C427730916

Application type

CIVIL SANCTION

Document Type

-- Please Select --  
-- Please Select --  
Copy of the most up to date pleadings  
Copy of Comparative Quote where an experts report is £1750 or more  
Copies of previous reports obtained  
MERITS - other (please specify merits document)

File to upload

Document type

Document name

Description

Method

No records found

Information

If you do not intend to add any attachments online, you must press the **Complete Application** button to submit the application, otherwise

Complete Application

Once you are ready to submit your sanction application select 'Complete Application'.

Confirmation that your sanction has been successfully submitted will then be displayed.

Notifications

Search

A&A

Civil

Criminal

Children's

Duty Scheme

A

Confirmation



Success!

**CIVIL SANCTION** successfully submitted to **Scottish Legal Aid Board**  
**Legal Aid Reference Number: C427730916**  
**Status: submitted**  
**Date received: 19/10/2016**

## Requests for further information

If we require further information to consider your request we will send you a notification.

The screenshot shows the 'NOTIFICATIONS' section of the SLAB system. At the top is a navigation bar with tabs: Notifications, Search, A&A, Civil, Criminal, Children's, Duty Scheme, and Acc. Below the navigation bar, the 'NOTIFICATIONS' heading is followed by a toolbar with 'Select All' and 'Close Selected' buttons. To the right of these buttons are two checkboxes: 'Display priority notifications only' (unchecked) and 'Display other Firm notificati' (partially visible). Below the toolbar is a 'Results per page' dropdown set to '10' and a row of numbered buttons from 1 to 9. A table below this contains notification details. The table has columns for 'Close', 'Subject', 'LARN', and 'Category'. The first row shows a notification with a red exclamation mark icon, a checkbox, the subject 'Civil Sanction Application Further Information Required.', the LARN 'C427730916', and the category 'INTNM'.

	Close	Subject	LARN	Category
  <input type="checkbox"/>		Civil Sanction Application Further Information Required.	C427730916	INTNM

Click on the notification to open view the message.

The screenshot shows a web browser window titled 'View Notification - Mozilla Firefox'. The address bar shows the URL 'laolatest.slab.org.uk:7777/slabaa/viewNotification.htm?mode=view&notificationId=11616384'. The main content area displays the notification details for the subject 'Civil Sanction Application Further Information Required.'. The details include: LARN C427730916, Notification Issued: 19/10/2016, Primary Category INTNM, Application Type Sanction, Applicant Name EXAMPLE APPLICATION, Applicant PI APPLIE9801010050, Your Reference Number, and Effective Date: 19/10/2016. A message states: 'Your application for Sanction (Counsel) has been received by the Board and is pending awaiting documentation.' At the bottom of the notification details are five buttons: 'Print', 'Close', 'Reply', 'More Details', and 'Decision'.

From the notification you can view the decision and if we have requested more information you can also then send a response.

You have now completed this topic. You should return to the main menu if you wish to look at other topics.

## What's next?

Now that you have completed this topic, you can:

- save it to an appropriate hard drive, network location or memory stick.
- print it out.