

The Fingerprint Inquiry | Scotland

TRAVEL AND SUBSISTENCE EXPENSES

NOTES FOR APPLICANTS

*These notes are designed to assist you in completing an application for an award in respect of **travel and subsistence expenses**. You should read them together with sections 17 and 40 of the Inquiries Act 2005 (the Act), rules 17 to 28 of the Inquiries (Scotland) Rules 2007 (the 2007 Rules), and the Inquiry's terms of reference (all of which can be found on the Inquiry website www.thefingerprintinquiryscotland.org.uk)*

1. Eligibility for an award

The Chairman has power to award reasonable amounts in respect of **travel and subsistence expenses** incurred in attending, or otherwise in relation to, the Inquiry.

You may be eligible for such an award of expenses if you are:-

- a person attending the Inquiry to give evidence or to produce any documentation or other thing (which may include meeting with the Inquiry team to give a statement), or:
- a person who, in the opinion of the Chairman, has such interest in the proceedings or the outcome of the Inquiry as to justify such an award.

2. General points to note

If you are asked to attend the Inquiry, you will usually require to make your own travel and accommodation arrangements. You should also make your own arrangements as regards the provision of meals during the time spent attending the Inquiry. However, should you require any assistance in making the necessary arrangements, or if you have any disability requirements, please contact the Inquiry team as soon as possible.

You can make an application for an award in respect of any sums you spend on travel, accommodation or subsistence in relation to the Inquiry at any time. However, please note that the need for overnight accommodation should usually be approved (in writing) in advance by the Inquiry team. Therefore, if you think that you will require overnight accommodation, please contact us as soon as possible. **Claims in respect of overnight accommodation may not be paid without such prior approval having been obtained, except in exceptional circumstances.**

Approval for overnight accommodation will not usually be given if you are resident in Scotland and attending the Inquiry for one day only.

Please also note that any individual item of expenditure in excess of £100 should usually be approved (in writing) in advance by the Inquiry team. You

should therefore check the price of any travel tickets/accommodation and obtain approval for any items over £100 before booking. **Expenses incurred without this prior approval may not be paid, except in exceptional circumstances.**

Awards in respect of travel and subsistence expenses will not normally be made in respect of expenses incurred by witnesses giving evidence in the context of their employment or former employment, as the Chairman expects that these expenses will be re-imbursed by the employer, or former employer, as the case may be.

As awards in respect of travel and subsistence expenses will be met from the public purse, strict rules must apply. The rates, guidelines and limits on the sums which will be paid under such awards are set out in Annexe 1 to these Notes.

3. Applications

The relevant application form for these awards is available from the Inquiry website.

Subject to obtaining advance approval for the need for overnight accommodation and items of expenditure in excess of £100, applications can be made at any time.

You can make separate applications in respect of expenses incurred at different stages of the Inquiry. Alternatively, you may find it easier to make one claim encompassing all your travel and subsistence expenses at the end of the Inquiry, and this is also acceptable. However, please note that the final deadline for the submission of all claims is **30 days from the date that closing submissions are concluded**. Claims submitted after this time will not be considered except in exceptional circumstances.

4. Completing the Application Form

Here is some more information to assist you in completing your application.

Part I - Personal Details

Please provide your name, address and contact details here.

If you are represented by a lawyer, (and the Chairman has not designated you a core participant) please provide your legal representative's details here in order that he/she can be identified as your Recognised Legal Representative for the purposes of the Inquiry.

Part II – Details of the expenditure

Please provide as much information as possible regarding each item of expenditure in the table provided in this part of the form.

You should enter the date, time of departure, and time of return for each journey in columns 1, 2 and 3 of the table respectively.

Please provide any other details about the item of expenditure in column 4. This should include the following information:

- A note of your departure point and details of the place visited.
- If your journey starts or ends at your home, please tell us your home address.
- If you require to stay away from home, and this has been approved in advance by the Inquiry team, please tell us the address of any approved overnight accommodation. If you stayed with a friend or relative, you may be eligible for an overnight supplement payment. Therefore please tell us whether your overnight accommodation was commercial (e.g. a hotel, b & b etc) or private (a friend or relative's house). This information will not usually be published or made publicly available by the Inquiry.
- A note of the means of transport used for your journey.
- A note of any other person attending the Inquiry (who would otherwise be eligible to apply for an award of travel expenses in their own right) who travelled with you.
- Details of any meals allowance or other supplement claimed and the rate applicable.

You should also provide, in column 5 of the table, a note of the units claimed, e.g. the number of nights accommodation you claim, or the number of miles travelled if you travelled using your own car in column 5 of the table.

Please state the amount of the item of expenditure in column 6 of the table.

Remember to attach all tickets/receipts for each stage of your journey to this part of the application form.

Part III – Declaration

Once you have completed Parts I and II, you should sign this part of the form and submit it in hard copy to the Inquiry team. Please be aware that your signature will be treated as confirmation that all the information contained in the form is correct, to the best of your knowledge. **It is a serious offence to make a false claim.**

5. The Chairman's Decision

The Chairman will use the information you provide in your application to decide whether or not to make an award in your favour.

In making any decision as to the procedure or conduct of the Inquiry, including a decision about an award of this type, the Chairman must act with fairness and with regard to the need to avoid any unnecessary cost, whether to public funds or to witnesses or to others.

The Chairman will also take into account your financial resources and the public interest so far as relating to the making of an award

Where the Chairman has decided that an award should be made, he will issue a written determination to this effect.

Where the application is for amounts yet to be incurred, the Chairman's determination will set out the conditions upon which the award is made, including:

- an upper limit or limits on the sums which will be paid
- the form in which bills must be submitted to the Chairman, and
- any other conditions that the Chairman considers appropriate.

6. Assessment of amounts paid under an award

Once the Chairman has made a determination and a claim has been made by submission of a bill (accompanied by such other documentation as has been specified) the Solicitor to the Inquiry will assess the amount to be paid under the award.

More detailed information on how these awards will be assessed and the procedures for disagreeing with an assessment is available on request from the inquiry team and will be added to our website shortly.

7. Queries and contacts

Application forms should be completed in hard copy, signed and sent to:

**The Fingerprint Inquiry
44 Drumsheugh Gardens
Edinburgh
EH1 3AB**

Tel 0131 240 2191

e-mail – info@thefingerprintinquiryscotland.org.uk

If you have any queries about these notes, the relevant application form or about the process of applying for an award of this type in general terms, please contact the Inquiry team at the address above.