

**App. VIII-4-3 Request for Legal Assistance at Public Expense Form
(template)**

**REQUEST FOR LEGAL ASSISTANCE AND
INDEMNIFICATION AT PUBLIC EXPENSE**

1. DATE OF SUBMISSION: _____

2. GENERAL INFORMATION:

Name: _____

Rank & Regimental Number: _____

Division: _____

Detachment: _____

Detachment Collator / Cost Centre: _____

Telephone Contact Information: _____

Supervisor's Name: _____

3. COUNSEL INFORMATION:

Name of Lawyer Selected: _____

Firm Location & Telephone Number: _____

Requested Hourly Rate of Approval for Counsel: _____

Counsel's years as a member of the Bar: _____

4. STATUS OF PROCEEDINGS:

The request for legal assistance at public expense is brought as a result of the following circumstances (check off which applies):

Statutory Investigation Preliminary Inquiry Trial

Other: _____

If applicable, please provide the name of the investigator on file: _____

Have you applied for legal counsel at public expense before for the same circumstances? _____

5. SUMMARY OF THE EVENTS LEADING UP TO THE REQUIREMENT FOR COUNSEL:

It is important to supply sufficient detail as to allow the decision-maker to determine if the employee has met the requirements as stated in policy. If the appropriate amount of information is absent, the decision-maker will request further details and this might only delay the application.

IMPORTANT:

You must explain in your request how you meet each of the eligibility criteria of the policy (acting in good faith; not against the interests of the Crown and acted within the scope of your duties or course of employment with respect to the acts or omissions giving rise to the request). It is not sufficient to just refer to the criteria and state that you have met them.

Example:

At [Time] on [Date], my partner, [Cst.] and I were on duty at the [Detachment] in [Town/City], [Province]. While conducting a walk through at our local bar, we observed a disturbance between the bar staff and some of the patrons. We approached the group of people and immediately, one of the patrons, later identified as John DOE became belligerent and threatening towards us. After a short discussion, John DOE was arrested for causing a disturbance in a public place. While attempting to take him into custody he began to resist arrest which resulted in a scuffle. All three of us ended up on the ground. We were eventually able to get up from the ground and quickly escorted John DOE from the scene to the police car.

On [Date], I was informed that I am the subject of a statutory investigation. It is alleged that on [Date], I assaulted Mr. DOE's while conducting his arrest.

I believe that I meet the criteria of the policy as I acted honestly [provide information on how you met this criteria] not against the interest of the Crown [explain how you meet this criteria] and within the scope of my duties or course of employment with respect to the acts or omissions giving rise as an RCMP member [explain what duties you were performing at the time of the incident]. In particular, while acting in the interest of public and police safety, I acted within authority on reasonable grounds and used only as much force as necessary to execute my duties which can be justified in the circumstances.

I am requesting authorization to retain the services of [Name of lawyer] of the [Law office] located at the [Address] to represent me in this matter. She/he was called to the bar in [year] and her/his hourly rate is [\$].

[Name, Rank and Regimental No.]