

Litigation funders - information form

This form is part of your firm's mandatory declaration. You must ensure the information you provide is accurate.

You have told us that your firm has litigation funding for its consumer claims work or arranges it on behalf of clients.

You are required to provide information about each litigation funder your firm has arrangements with or has made arrangements with on behalf of clients. **Please complete a separate form for each litigation funder.**

The information gathered as part of this process will be used in the discharge of our regulatory obligations. This will include assessing compliance with our Standards and Regulations and potentially informing further regulatory action.

This section relates to your and your firm's professional obligations set out in:

- [Principle 7](#)
- Paragraphs 2.4, 2.5, and 6.1 of the [Code of Conduct for Firms](#).

Information about your firm

Firm name _____

Firm SRA ID _____

Your name _____

Your role _____

Your firm's litigation funder

1. What is the litigation funder's name? _____

Guidance

For the purposes of this declaration, a litigation funder is any third party which provides funding for the firm's consumer claims work. This includes but is not limited to:

- *funding for individual client claims*
- *funding for portfolios of claims*
- *the provision of working capital*
- *the provision of a general credit facility.*

2. Does the firm:

[] Have an arrangement with the litigation funder

[] Arrange litigation funding on behalf of the client?

If your firm arranges litigation funding on behalf of the client:

3. How many litigation funding agreements has [your firm] arranged on behalf of clients? _____

Your firm's litigation funding arrangements

4. [Litigation funder] is:

☐ An individual

☐ A company

☐ Other - Write In: _____

If the litigation funder is a company:

5. What is [litigation funder]'s company registration number? _____

6. What type(s) of consumer claims does [litigation funder] fund?

☐ Car finance

☐ Cavity wall insulation

☐ Diesel emissions

☐ Data breach, data protection and cyber security

☐ Flight delay

☐ Holiday sickness

☐ Housing disrepair

☐ Japanese knotweed

☐ Mis-sold pensions

☐ Mis-sold tax avoidance schemes

☐ Payment Protection Insurance

☐ Solar panels, green energy and other energy

☐ Tax refund

☐ Timeshare

☐ Other financial services claims

☐ Other consumer claims - please give details: _____

If the firm has an arrangement with the litigation funder:

7. What type(s) of funding agreement(s) does [your firm] have with [litigation funder]?

☐ Funder provides working capital or general credit facility to firm

☐ Funder provides working capital or general credit facility to firm where draw down of the funds is linked to client matters opened

- ☐ Funder provides funding for portfolio of claims
- ☐ Funder provides funding for individual claims
- ☐ Other - not listed above

Guidance:

For the purpose of this declaration, litigation funders may provide funding for specific and individual claims. They may fund portfolios of claims, which are specific types or groups of consumer claims. Repayment to litigation funders in these circumstances is usually dependent on the outcome or success of funded claims.

Litigation funders may also provide working capital or a general credit facility to firms. Funds are loaned to firms with agreed rates of interest for repayment. Terms of repayment are usually not linked to the outcome of specific claims or portfolios of claims.

8. If [your firm] has a type of funding agreement with [litigation funder] that is not mentioned above, please give details. _____

9. What is the total amount of funding provided to [your firm] by [litigation funder] in the last twelve months? _____

If your firm arranges litigation funding on behalf of clients:

10. What is the total amount of funding that [litigation funder] has provided to clients in the last twelve months? _____

If your answer to question 7 includes the provision of working capital or a general credit facility to the firm:

11. What is the total outstanding debt owed by [your firm] to [litigation funder]? _____

12. What type of security has [your firm] provided in relation to funding from [litigation funder]?

- ☐ No security given
- ☐ Charge over firm's assets
- ☐ Charge over firm's files or other rights of control over firm's files
- ☐ Personal security provided by individual manager / owner of the firm
- ☐ Other - not listed above

13. If [your firm] has provided a type of security not mentioned above, please give details. _____

If the firm has an arrangement with the litigation funder:

14. Is any client a party to [your firm]'s litigation funding agreement with [litigation funder]?

- ☐ Yes
- ☐ No

Guidance

For the purposes of this declaration, this includes:

- funding agreements between the litigation funder and the client
- funding agreements between the litigation funder, firm, and client.

This does not include funding agreements between the firm and the litigation funder to which the client is not a party.

If any client is a party to the firm's litigation funding agreement with the litigation funder:

15. How many of these litigation funding agreements are there? _____

16. What input does [litigation funder] have on [your firm]'s consumer claims work and general operations?

- ☐ Funder has no input
- ☐ Funder must approve decisions about case progression
- ☐ Funder requires updates on case progression
- ☐ Funder requires advice on case progression
- ☐ Funder must approve decisions to settle/discontinue cases
- ☐ Funder attends firm's internal meetings about direction of the litigation
- ☐ Funder makes decisions about firm's policies and operations
- ☐ Funder has a contractual right to request and review information about the litigation
- ☐ Other - not listed above: _____

17. If [litigation funder] has a type of input which is not mentioned above, please give details. _____

Declaratory statement

I, [your name], am [your firm]'s [your role].

I understand that it is my responsibility to make sure all the information I have given is correct and complete.

I understand that if I have knowingly or recklessly given you information that is false or misleading (or if I failed to tell you about any significant information) you could take disciplinary action.

☐ I confirm that the information I have given is correct, to the best of my knowledge and belief.

☐ I confirm that I have taken reasonable steps to verify the information provided from records held by the firm and consider the responses to be complete and accurate.