

Name: [REDACTED]

Membership no: [REDACTED]

1. Competency: 1 Learning Outcome: 1.2

Apply relevant procedure to a matter.

2. Evidence provided:

Letter to Defendant's Solicitors requesting a copy of certain documents included within their Disclosure list under Part 31 of the Civil Procedure Rules.

3. Outline how the evidence demonstrates you meet the outcome

Legal procedure: The legal Procedure is Part 31 of the Civil Procedure Rules which deals with the Disclosure of evidence. The procedure relates to the requirement to disclose documents relevant to the case and the issues in dispute.

How it applies to the matter: This case involves the Claimant's outstanding invoices which the Defendant disputes. Proceedings were issued and a Defence was filed. The matter was allocated to the Fast Track and standard Disclosure was Directed under CPR 31.10. Both Parties prepared Disclosure Statements in accordance with Part 31.10 (5) & (6) of the CPR. There were a number of documents, including reports and photographs within the Defendant's Disclosure Statement that the Claimant had not had sight of. Part 31.15 of the CPR sets out that where a document has been Disclosed a party may serve notice requesting inspection of this document, and the document must then be provided within 7 days of that notice.

Explain how the procedure has been used: In accordance with CPR 31.15 a letter was sent to the Defendant's Solicitors requesting a copy of some of the documents listed by the Defendant within their Disclosure Statement and List of Documents, for inspection.

4. Reflection and evaluation (what you learnt from the activity you undertook to meet the outcome). Note: you may want to complete this section at a later date once you have had time to reflect on your practice and experience.

In order to provide a complete service to my client, it is important to understand the appropriate legal procedures. In this case I was able to insist that the Defendant produce required documentation, in accordance with the relevant rules.

5. Completion date: 17.12.2012

6. Signed (applicant) [REDACTED]

Date:

09.10.2013

7. Signed (supervisor) [REDACTED]

Date:

9/10/2013.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Your Ref: [REDACTED]

Our Ref: [REDACTED]

17 December 2012

Dear Sirs

[REDACTED]

We confirm receipt of your client's Disclosure Statement and List of Documents, received at our offices on 17th December 2012.

We would be grateful to receive a copy of the documents numbered 1 to 12 and 14 to 22 referred to in the List of Documents.

We also confirm receipt of the report prepared by [REDACTED]. We note that this report was prepared over 12 months following the work being carried out at this site by our client. We would request your full explanation for this delay.

We would also be grateful if you could confirm whether the works quoted for by [REDACTED] have been undertaken. It is noted that [REDACTED] suggested that further investigation was required in relation to the water damage, please provide a full report of these findings. If these further investigations were not undertaken please provide reasons as to why not.

Your client's Counterclaim details an estimate for any remedial works to be undertaken at the [REDACTED] in the sum of £[REDACTED] to £[REDACTED]. However, [REDACTED] have quoted for work totalling the sum of £[REDACTED]. We request a full breakdown of this quote along with confirmation as to whether your client intends to amend their Counterclaim.

Your client's Defence and Counterclaim makes reference to a [REDACTED] report for [REDACTED] however this is not included within your List of Documents. Please provide full reasons as to why this document has not been listed.

We are currently seeking our client's further instructions in relation to the report provided by your client and our full response will follow shortly.

We look forward to hearing from you further.

Yours faithfully

[REDACTED]