Witness statement

CFO WS
(12.11)

Supporting an application for payment out of funds held in the unclaimed balances account at the Court Funds Office

Full account name

Name of court

Case number

CFO account number

WITNESS STATEMENT OF

Full name of witness

Address

Postcode

Occupation

I submit that I am entitled to receive either: all ☐ **or** amount £ :

of the funds standing to the credit of the above account, together with interest on it because:

Please complete one of the appropriate statements (1- 7) below

1 I was/I represent the claimant in this matter, which was settled by way of order/acceptance dated which is enclosed. However, I did not receive the full sum due to me because

OR

2 I was/I represent the defendant in this matter, and paid the funds into court. The case was subsequently settled by way of order/acceptance dated /the claim was discontinued by way of notice dated . However, I did not receive the monies lodged because

OR

continued overleaf ➥

How to contact the Court Funds Office

Customer Helpline
0845 223 8500

Email
enquiries@cfo.gsi.gov.uk

Address
Court Funds Office
Glasgow
G58 1AB

Court Funds Office
DX 501757
Cowglen

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3 I am the personal representative of the claimant/defendant/beneficiary, who died on

I enclose a sealed copy of the grant of probate/letters of administration to the estate. I believe that the aforementioned was entitled to the monies in court, which were not paid to him/her and are now due to the estate because

OR

4 I am the beneficiary in this matter and enclose an office copy of the will and grant of probate/letters of administration to the estate proving my entitlement. The funds were not claimed because

OR

5 I am the freeholder/landlord/mortgagee of the property or their representative/beneficiary of their estate and am entitled to the funds. The funds were not claimed because

OR

6 I was/I represent the depositor of the funds under the following Act _____ and am entitled to receive the monies because

OR

7 Other reason

And

I agree to answer any enquiries which the court may make or direct relating to the application of the monies or securities

Statement of truth

I believe that the facts stated in this witness statement are true.

Signed

Date

Name

NOTES FOR GUIDANCE

This note is provided to assist those attempting to claim funds in court where the relevant papers are no longer held at the originating court and an application to the Senior Master of the Queen's Bench Division is required. It is not intended to cover every circumstance and every witness statement does not have to follow exactly the wording provided as long as the points below are adhered to.

If you wish to use this note as a guide, a soft copy is available. E-mail your request to enquiries@cfo.gsi.gov.uk

1. The witness statement should give the full name of the witness, his place of residence or, if he is making the statement in his professional, business or other occupational capacity, the address at which he works, the position he holds and the name of his firm or employer, his occupation, or if he has none, his description, and the fact that he is a party to the proceedings or is an employee of such a party if it be the case: Civil Procedure Rules Practice Direction 32 para 18.1
2. A witness statement must indicate which of the statements are made from the witness's own knowledge; which of the statements in it are matters of information or belief, and the source for any matters of information or belief: CPR PD 32 paras 18.2
3. An exhibit used in conjunction with a witness statement should be verified and identified by the witness and remain separate from the witness statement: CPR PD 32 para 18.3. Where a witness refers to an exhibit or exhibits, he should state 'I refer to the (description of exhibit) marked '(A)': CPR PD 32 para 18.4
4. A witness statement is the equivalent of the oral evidence which that witness would, if called, give in evidence; it must include a statement by the intended witness that he believes the facts in it are true: CPR PD 32 para 20.1. Proceedings for contempt of court may be brought against a person if he makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth: CPR 32.14(1).
5. A statement of truth verifying a witness statement must be signed by the witness: CPR PD 22 para 3.2.