## **Application for Legal Aid** in Criminal Proceedings

Form CRM14



! Please use the Guidance

If you do not complete the form correctly, we will return it.

You will find Guidance to help you fill in the form correctly.

Legal A	Aid
Agenc	У

	.gov.uk/government/collections/		
	aid-application-forms re help or advice, please contact a solicitor.	MAAT Reference (for official use)	
- you'need mon	For the Legal Representative's use	<u>·</u>	
If the case is an Appeal to the Crown Court and there is no change in circumstances, answer 1 and then go to question 23.	Case type  Summary Committal for sentence Either way Appeal to Crown Court Indictable Trial now in Crown Court Appeal to Crown Court and no changes	Custody Vulnerable Youth  Late application in the Crown Court for trial  Date of trial	
	About you: 1		
1	Mr Mrs Miss Ms Other title Your foren	names or other names (in block letters)	
GUIDANCE			
	Your surname or family name (in BLOCK LETTER	Your date of birth	
National Insurance	National Insurance Number	Application Registration Card (ARC) Number	
Number and ARC			
Number: give one of these only.	This is a new application.	pplication relates to a change of financial circumstances.	
	Contacting you		
2	Do you have a usual home address?  No  Yes  Your usual	l home address	
	Tes Tour usual	THOME dudiess	
		Postcode	
3	To what address should we write to you?		
✓ 'Your solicitor's address only, if you	Your usual home address (the address in	n 2)	
are of 'No Fixed			
Abode', or not at	This address		
your usual address because you are		Dostando	
on bail or remand.		Postcode	
4	Your email address		
l			

5	Your telephone number (landline)	Mobile phone number
	Work phone number	
I	About you: 2	
6	Your usual home address is:	
✓one box and if it is 'someone else's	a Tenancy (rented) Temporary	Your parent's home (you live with them)
home', give your	☐ Someone else's home → Your relations!	hip
relationship to		
that person	Owned by: You Your parti	ner You and your partner, jointly
7	Are you under 18 years old?	
	No Yes → Are you charg	ged with an adult?
	No: Go to	23 Yes: Go to 23
8	Do you have a martner?	
<b>!</b> GUIDANCE	Do you have a partner?	
GUIDANCE	No: Go to 9 Yes: Go to 10	
9	You are: Single: Go to 14	/idowed: Go to <b>14</b>
✓ one box	Divorced or have dissolved	d a civil partnership: Go to <b>14</b>
GUIDANCE	☐ Separated — → Date	•
		Go to <b>14</b>
10	You and your partner are:	
✓ one box	Married or in a Civil Partnership C	ohabiting or living together
	About your partner	
11	Your partner's details	
	Mr Mrs Miss Ms Other title Your forenam	es or other names (in BLOCK LETTERS)
(I) GUIDANCE		
	Surname or family name (in BLOCK LETTERS)	Date of birth
National Insurance		
Number and ARC	National Insurance Number	Application Registration Card (ARC) Number
Number: give one of these only.		
12		and a defendant in
<b>12</b> If you ✓ <b>Yes</b> , and	Is your partner a victim, prosecution witness of the case for which you require legal aid?	or a co-detendant in
your partner is a victim, prosecution	No Yes → Victim: Go	to <b>14</b>
witness, or	Prosecution	on witness: Go to <b>14</b>
co-defendant with a conflict of interest,		ant — → Does your partner have
do not give your		a conflict of interest?
partner's details for questions <b>13</b> to <b>22</b> .		No: Go to 13 Yes: Go to 14

<u>13</u>	ls your partner's usual home add	uress unrerent ir	oni yours (the a	uuress at questi	On 2):
	□ No □ Yes →	Your partner's us	sual home addre	ess	
		·			
				D	
				Postcode	
	Your income and your pa				
14	Do you or your partner receive a	any of the benefi	ts listed here?		
(!) GUIDANCE	│	You		<b>Your Partner</b>	
In this form, if you answer Yes to any	Income Support	Go to <b>23</b>		Go to <b>23</b>	
question which asks about you or	Income-Related Employment and Support Allowance (ESA)			Go to <b>23</b>	
your partner, and	Income-Based Jobseeker's			00 10 _0	
you can answer	Allowance (JSA)	When did vo	u last sign on?	When did v	ou last sign on?
Yes for both of you, give details	, ,	,		,	
for you and your					
partner, not for		Go to <b>23</b>		Go to <b>23</b>	
one of you only.	Guarantee State Pension Credit	Go to <b>23</b>		☐ Go to <b>23</b>	
<u>15</u>	Do you or your partner, togethe	r, in a year have	a total income f	rom all sources l	pefore tax or
	any other deduction, of more th	an £12, 475 (£23	9.90 a week)?		
GUIDANCE	No:Go to 16 ☐ Yes —→	You will need to	complete form	CRM15: Go to 23	3
16	c	. 51			
<u>16</u>	Sources of income for you and y	our partner. Plea	ase give details	in the table:	
		You		Your Partner	
<b>D</b> EVIDENCE	Employment (wage or salary)	You £	every	Your Partner	every
<b>DEVIDENCE DGUIDANCE</b>	Employment (wage or salary)		every After tax		every After tax
<b>!</b> GUIDANCE about:		£ Before tax	After tax	£ Before tax	After tax
GUIDANCE about:  • Employment	Employment (wage or salary)  Child Benefit	£		£	
<b>!</b> GUIDANCE about:	Child Benefit Working Tax Credits and	£ Before tax	After tax	£ Before tax	After tax
■ Employment ■ Total of other benefits ■ Other source of	Child Benefit Working Tax Credits and Child Tax credits	£ Before tax  £	After tax every	£ Before tax  £	After tax every
<ul><li>GUIDANCE about:</li><li>Employment</li><li>Total of other benefits</li></ul>	Child Benefit Working Tax Credits and	£ Before tax	After tax every	£ Before tax	After tax every
<ul> <li>GUIDANCE</li> <li>about:</li> <li>Employment</li> <li>Total of other benefits</li> <li>Other source of income</li> </ul> For all parts of	Child Benefit Working Tax Credits and Child Tax credits	£ Before tax  £	After tax every every	£ Before tax  £	After tax every every
<ul> <li>GUIDANCE</li> <li>about:</li> <li>Employment</li> <li>Total of other benefits</li> <li>Other source of income</li> </ul>	Child Benefit Working Tax Credits and Child Tax credits Universal Credit	£ Before tax  £ £	every every every	£ £ £	every every every
about:  Employment  Total of other benefits  Other source of income  For all parts of this question:  If you do not receive income	Child Benefit Working Tax Credits and Child Tax credits Universal Credit Total of other benefits Maintenance income	£ Before tax  £  £  £  £	every every every every	£  Before tax  £  £  £  £	every every every every
about:  Employment  Total of other benefits  Other source of income  For all parts of this question:  If you do not receive income from a source,	Child Benefit Working Tax Credits and Child Tax credits Universal Credit Total of other benefits	£ Before tax  £ £ £	every every every every	£  £ £ £	every every every every
about:  Employment  Total of other benefits  Other source of income  For all parts of this question:  If you do not receive income	Child Benefit Working Tax Credits and Child Tax credits Universal Credit Total of other benefits Maintenance income	£ Before tax  £  £  £  £	every every every every every every every	£  Before tax  £  £  £  £	every every every every every every
■ Employment ■ Total of other benefits ■ Other source of income  For all parts of this question: ■ If you do not receive income from a source, put NIL after the '£'.	Child Benefit Working Tax Credits and Child Tax credits Universal Credit Total of other benefits Maintenance income Pensions	£ Before tax  £ £ £ £ £	every every every every every	£  £ £ £ £ £	every every every every every
about:  Employment  Total of other benefits  Other source of income  For all parts of this question:  If you do not receive income from a source, put NIL after	Child Benefit Working Tax Credits and Child Tax credits Universal Credit Total of other benefits Maintenance income Pensions Any other source of income	£ Before tax  £ £ £ £ £ £ £	every every every every every every every	£  Before tax  £  £  £  £  £  £	every every every every every every
about:  Employment  Total of other benefits  Other source of income  For all parts of this question:  If you do not receive income from a source, put NIL after the '£'.  After 'every' put either: week,	Child Benefit  Working Tax Credits and Child Tax credits  Universal Credit  Total of other benefits  Maintenance income  Pensions  Any other source of income such as:  a student grant or loan  board or rent from a family	£ Before tax  £ £ £ £ £ £ £	every every every every every every every	£  Before tax  £  £  £  £  £  £	every every every every every every
about:  Employment  Total of other benefits  Other source of income  For all parts of this question:  If you do not receive income from a source, put NIL after the '£'.  After 'every' put either: week, 2 weeks,	Child Benefit  Working Tax Credits and Child Tax credits  Universal Credit  Total of other benefits  Maintenance income  Pensions  Any other source of income such as:  a student grant or loan  board or rent from a family member, lodger or tenant,	£ Before tax  £ £ £ £ £ £ £	every every every every every every every	£  Before tax  £  £  £  £  £  £	every every every every every every
about:  Employment  Total of other benefits  Other source of income  For all parts of this question:  If you do not receive income from a source, put NIL after the '£'.  After 'every' put either: week,	Child Benefit  Working Tax Credits and Child Tax credits  Universal Credit  Total of other benefits  Maintenance income  Pensions  Any other source of income such as:  a student grant or loan  board or rent from a family	£ Before tax  £ £ £ £ £ £ £	every every every every every every every	£  Before tax  £  £  £  £  £  £	every every every every every every

17	1 .	pany director or a shareholder in a privat	• •
<b>O</b> GUIDANCE	No	Yes — You will need to comp	- •
18	1 7	ur partner have any income, savings or as estraint order or a freezing order?	ssets which
	No	Yes — You will need to comp	plete form CRM15: Go to 23
19	Are you char	ged with a Summary offence, only?	
GUIDANCE	No	Yes: Go to <b>22</b>	
20	1 7	ur partner own or part-own any land or p ur own home, in the United Kingdom or o	
	No	Yes — You will need to comp	olete form CRM15: Go to 23
21	1 .	ur partner have any savings or investmer l Kingdom or overseas?	nts,
GUIDANCE	No	Yes — You will need to comp	plete form CRM15: Go to 23
22	1 -	vers to the previous questions tell us that which we have asked about?	you have no income from any of
	☐ No	☐ Yes — → How do you and your	partner pay your bills and daily expenses?
	Information	on for the Interests of Justice test	
23		s have been brought against you?	
GUIDANCE	Charge	s nave been brought against you.	Date of offence
Describe the charge briefly:	1		
for instance, 'Assault on a	2		
neighbour'.	3		
	4		
24	The type of c	offence with which you are charged	
<b>!</b> GUIDANCE ✓ one box only.	Class A:	Homicide and related grave offences	
If you are charged	Class B:	Offences involving serious violence or	damage, and serious drugs offences
with two or more offences, ✓ the	Class C:	Lesser offences involving violence or da	amage, and less serious drugs offences
most serious.	Class D:	Sexual offences and offences against c	hildren <del>→</del>

	Class E:	Burglary etc				
	Class F:	Other offences of the value is £30,	, ,	ified offences a	and offences where	
	Class G:		of dishonesty (spec ed exceeds £30,000		and offences where exceed £100,000)	
	Class H:	Miscellaneous o	ther offences			
	Class I:	Offences agains	t public justice and	l similar offenc	es	
	Class J:	Serious sexual o	ffences			
	Class K:	Other offences of	of dishonesty (high	value: if the va	alue involved exceeds £100,000	))
25	Do vou have an	y co-defendants	in this case?			
	No: Go to 27		Their names			
26	Is there any reas		d your co-defenda	nts cannot be	represented by	
	☐ No	☐ Yes ——▶	The reason(s)			
	•					
27	Are there any of are still in progr		es or charges agai	nst you or you	r partner which	
	No	☐ Yes —→	You		Your Partner	
		The charges				
		The charges				
	The Court I	hearing the case				
	Date of t	the next hearing				
		3				
28	Which Court is h	nearing the case	for which you nee	ed legal aid?		
	The Court hearing	ng the case			Date of the hearing	

29	Why do you want legal aid?
GUIDANCE	It is likely that I will lose my liberty if any matter in the proceedings is decided against me.
1 to 9 are possible reasons.	
We suggest you choose one or more reasons with the help of a solicitor.	I have been given a sentence that is suspended or non-custodial. If I break this, the court may be able to deal with me for the original offence.
or each reason rou choose, say vhy you have hosen it.	3 It is likely that I will lose my livelihood.
Mention any evidence that upports your hoice of a reason.	4 It is likely that I will suffer serious damage to my reputation.
f you need more pace to answer, please use a	A substantial question of law may be involved (whether arising from legislation, judicial
eparate sheet of paper and put our full name, late of birth and Question 29' at	authority or other source of law).
he top of the heet. Please nake sure you how which part of the question	I may not be able to understand the court proceedings or present my own case.
1 to 10) your vriting refers to.	7 Witnesses may need to be traced or interviewed on my behalf.
	The proceedings may involve expert cross-examination of a prosecution witness (whether an expert or not).
	9 It is in the interests of another person (such as the person making a complaint or other witness) that I am represented.
	10 Any other reason
	•

### Legal representation 30 The solicitor who you want to act for you (!)GUIDANCE Mr Mrs Miss Ms Other title Solicitor's initials, surname or family name (in BLOCK LETTERS) You must tell the solicitor Name and address of the solicitor's firm that you have said in this form that you want them to act for you. Postcode Telephone (land line) Mobile phone Document Exchange (DX) Fax email address 31 Declaration by the legal representative √ 1 <sub>or</sub> 2 I represent the applicant. I confirm that I am authorised to provide representation under If you choose 2, a contract issued by the Legal Aid Agency (LAA). ✓ one of the two other options to 2 I represent the applicant. I confirm that I have been instructed to provide representation by: show whether a firm which holds a contract issued by the Legal Aid Agency (LAA). you have been instructed by a a solicitor employed by the Legal Aid Agency (LAA) in the Public Defender Service who firm with an LAA is authorised to provide representation. contract, or by a solicitor employed Signed Date Provider's LAA Account Number by the LAA. Examples of an LAA contract are the Crime Contract or an Individual Full name (in BLOCK LETTERS) Case Contract. About the information which you have provided and its protection **32** ■ The information which you give when you answer this question (which continues on page 8), will be treated in the strictest confidence and will not affect our decision on this application. **U**GUIDANCE The guidance ■ We, or HM Courts and Tribunals Service, may use the information on this form and on forms CRM15 and CRM15C, for statistical monitoring or research. The information we publish will not explains how we identify you or anyone else. We will process the information according to the relevant data protect and use protection laws and other legal requirements. the information which you provide 1 Are you male or female? in our forms or in

I prefer not to say

**Female** 

other ways.

Male

2	Do you consider that you have a disability?			
✓ one box in the	No Yes → The best definition is:			
table to show the best definition of				
your disability.	☐ Mental health condition ☐ Mobility impairment ☐ Other			
The Equality Act	Learning disability or Long-standing physical I prefer not to say			
2010 defines	difficulty illness or health condition			
disability as:	Hearing impaired Visually impaired			
'A physical or	☐ Deaf ☐ Blind			
mental impairment				
which has a	3 Which of the options in the table best describes you?			
substantial and				
long-term adverse				
effect on a person's ability to	Asian Black British British			
carry out normal				
day-to-day	British White and Indian Black Chinese			
activities'.	Black Caribbean			
	Caribbean			
3	☐ Irish ☐ White and ☐ Pakistani ☐ Black ☐ Gypsy or  Black African Traveller			
✓ one box in	Black African Traveller African			
the table of	☐ White ☐ White and ☐ Bangladeshi ☐ Black ☐ Other			
ethnic groups.	other Asian other			
	Mixed Asian I prefer not to say			
	other other			
	Evidence to support the information which you have given			
33	Have you been directed to complete a form CRM15 (see questions 15, 17, 18, 20 and 21)?			
	No Yes → If you have a partner, now go to 38. If not, go to 39.			
34	Una a consiste manuscript de discossitur assista de 2			
24	Has a court remanded you in custody?			
	No: Go to 36 Yes: Go to 35			
35	、Will your case be heard in a magistrates' court?			
	No			
36	Are you employed?			
<b>!</b> EVIDENCE	No Yes → ■ If your case will be heard in a magistrates' court, or it is			
	a committal for sentence or appeal to the Crown Court			
	We need a copy of your wage slip or salary advice. You must provide it with this form: see the guidance about evidence.			
<b>EVIDENCE</b>	·			
	■ If your case will be heard in the Crown Court  We need a copy of your wage slip or salary advice. You must			
	provide it with this form or within 14 days of the date of your			
	application: see the guidance about evidence.			
	application: see the guidance about evidence.			
37	application: see the guidance about evidence.  If you have a partner, now go to <b>38</b> . If you do not have a partner, go to <b>39</b> .			

### Declaration by your partner

### 38

**U**GUIDANCE

If your partner is not able to sign this declaration, you must give the reason at the end of question **39**.

### I declare that

this form and any form CRM15 and CRM15C is a true statement of all my financial circumstances to the best of my knowledge and belief. I agree to the Legal Aid Agency and HM Courts & Tribunals Service, or my partner's solicitor, checking the information I have given, with the Department for Work and Pensions, HM Revenue and Customs or other people and organisations. I authorise those people and organisations to provide the information for which the Legal Aid Agency, HM Courts and Tribunals Service or my partner's solicitor may ask.

I have read the **Notice of Fraud** at the end of question **39**.

Signed	Date
Full name (in block letters)	

### **Declaration by you**

### 39

When you read this declaration, keep in mind that some parts of it may not apply to you because the declaration is designed to cover several types of court case.

### I apply for

the right to representation for the purposes of criminal proceedings under the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

### I declare that

this form and any form CRM15 and CRM15C is a true statement of my financial circumstances and those of my partner to the best of my knowledge and belief. I understand that this form must be fully completed before a Representation Order can be issued. I understand that if I tell you anything that is not true on this form or the documents I send with it, or leave anything out:

- I may be prosecuted for fraud. I understand that if I am convicted, I may be sent to prison or pay a fine.
- My legal aid may be stopped and I may be asked to pay back my costs in full to the Legal Aid Agency.
- If my case is in the Crown Court, the Legal Aid Agency may change the amount of the contribution which I must pay.

### **Crown Court**

I understand that in Crown Court proceedings the information I have given in this form will be used to determine whether I am eligible for legal aid and, if so, whether I am liable to contribute to the costs of my defence under an Income Contribution Order during my case, or if I am convicted, under a Final Contribution Order at the end of my case, or both.

I understand that if I am ordered to pay towards my legal aid under an Income Contribution Order, or if I am convicted and ordered to pay under a Final Contribution Order, but fail to pay as an Order instructs me, interest may be charged or enforcement proceedings may be brought against me, or both.

I understand that I may have to pay the costs of the enforcement proceedings in addition to the payments required under the Contribution Order, and that the enforcement proceedings could result in a charge being placed on my home.

### **Evidence**

I agree to provide, when asked, further details and evidence of my finances and those of my partner, to the Legal Aid Agency, its agents, or HM Courts & Tribunals Service to help them decide whether an Order should be made and its terms.

### Changes

I agree to tell the Legal Aid Agency or HM Courts & Tribunals Service if my income or capital or those of my partner, change. These changes include the sale of property, change of address, change in employment and change in capital. —>

It is important that you understand that by signing this declaration you agree to the Legal Aid Agency, the courts, or your solicitor, contacting your partner to check the information that you have given in this form, and in forms CRM15 and CRM15C, if you complete them.

### **Enquiries**

I authorise such enquiries as are considered necessary to enable the Legal Aid Agency, its agents, HM Courts & Tribunals Service, or my solicitor to find out my income and capital, and those of my partner. This includes my consent for parties such as my bank, building society, the Department for Work and Pensions, the Driver and Vehicle Licensing Agency or HM Revenue and Customs to provide information to assist the Legal Aid Agency, it's agents or HM Courts & Tribunals Service with their enquiries.

I consent to the Legal Aid Agency or my solicitor contacting my partner for information and evidence about my partner's means. This includes circumstances where my partner is unable to sign or complete the form.

I understand that if the information which my partner provides is incorrect, or if my partner refuses to provide information, then: if my case is in the magistrates' court, my legal aid may be withdrawn or, if my case is in the Crown Court, I may be liable to sanctions. I understand that the sanctions may result in me paying towards the cost of my legal aid or, if I already pay, paying more towards the cost of my legal aid, or paying my legal aid costs in full.

Ending legal aid I understand that I must tell my solicitor and write to the court if I no longer want public representation. I understand that if I decline representation I may be liable for costs incurred to the date when my solicitor and the court receive my letter.

### **Data sharing**

I agree that, if I am convicted, the information in this form will be used by HMCTS or designated officer to determine the appropriate level of any financial penalty ordered against me, and for its collection and enforcement.

Signad

Notice on fraud If false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies to prevent fraud and money laundering.

> Further details explaining how the information held by fraud prevention agencies may be used can be found in the 'Fair Processing Notice', available on the Legal Aid Agency website at: https://www.gov.uk/guidance/apply-for-legal-aid

> > Dato

signed	Date
Full name (in block letters)	
If your partner has not signed the declaration at 3	88, please explain:

# LEGAL AID AGENCY PRIVACY NOTICE

### **Purpose**

This privacy notice sets out the standards that you can expect from the Legal Aid Agency when we request or hold personal information ('personal data') about you; how you can get access to a copy of your personal data; and what you can do if you think the standards are not being met.

The Legal Aid Agency is an Executive Agency of the Ministry of Justice (MoJ). The MoJ is the data controller for the personal information we hold. The Legal Aid Agency collects and processes personal data for the exercise of its own and associated public functions. Our public function is to provide legal aid.

### **About personal information**

Personal data is information about you as an individual. It can be your name, address or telephone number. It can also include the information that you have provided in a legal aid application such as your financial circumstances and information relating to any current or previous legal proceedings concerning you.

We know how important it is to protect customers' privacy and to comply with data protection laws. We will safeguard your personal data and will only disclose it where it is lawful to do so, or with your consent.

### Types of personal data we process

We only process personal data that is relevant for the services we are providing to you. The personal data which you have provided in your legal aid application will only be used for the purposes set out below.

### Purpose of processing and the lawful basis for the process

The purpose of the Legal Aid Agency collecting and processing the personal data which you have provided in a legal aid application is for the purposes of providing legal aid. Our lawful basis is 'the performance of a task carried out in the public interest or in the exercise of official authority' as set out in Article 6(1)(e) of UK GDPR. The tasks are those set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Specifically, we will use this personal data in the following ways:

- In deciding whether you are eligible for legal aid, whether you are required to make a
  contribution towards the costs of this legal aid and to assist the Legal Aid Agency in
  collecting those contributions, if appropriate.
- In assessing claims from your legal aid Provider(s) for payment from the legal aid fund for the work that they have conducted on your behalf.
- In conducting periodic assurance audits on legal aid files to ensure that decisions have been made correctly and accurately.
- In producing statistics and information on our processes to enable us to improve our processes and to assist us in carrying out our functions.

Were the Legal Aid Agency unable to collect this personal information, we would not be able to conduct the activities above, which would prevent us from providing legal aid.

We collect 'special categories of personal data'. This data is collected where necessary for the purposes set out above. The condition under which we process this data is Article 9(g) of UK GDPR – Reasons of substantial public interest. Our associated Schedule 1 condition is Statutory and Government purposes. We also collect this data for the purposes of monitoring equality, this is a legal requirement for public authorities under the Equality Act 2010. Special categories of personal data will be treated with the strictest confidence and any information published under the Equality Act will not identify you or anyone else associated with your legal aid application.

We collect 'personal data relating to criminal convictions and offences or related security measures'. This data is collected where relevant for the purposes set out above. The Legal Aid Agency is an Executive Agency of the MoJ, an Official Authority for the purposes of Article 10 of UK GDPR.

### Who the information may be shared with

We sometimes need to share the personal information we process with other organisations. When this is necessary, we will comply with all aspects of the relevant data protection laws. The organisations we may share your personal information include:

- Your instructed legal aid Provider(s), including any advocate instructed by a legal aid solicitor;
- Public authorities such as: HM Courts and Tribunals Service (HMCTS), HM Revenue and Customs (HMRC), Department of Work and Pensions (DWP), Home Office and HM Land Registry;
- Non-public authorities such as: Credit reference agencies Equifax and TransUnion and our debt collection partners Marston Holdings
- If false or inaccurate information is provided or fraud identified, the Legal Aid Agency can lawfully share your personal information with fraud prevention agencies to detect and to prevent fraud and money laundering. We may specifically share data with HMRC and DWP for fraud prevention, investigation and prosecution purposes; and
- Where a debt is owed to the Legal Aid Agency, we may share your data with public authorities such as HMRC and DWP and with debt collection partners such as Marston Holdings for the purposes of tracing, debt collection and enforcement.

You can contact our Data Protection Officer for further information on the organisations we may share your personal information with.

### **Data Processors**

We may contract with third party data processors to provide email, system administration, document management and IT storage services. Any personal data shared with a data processor for this purpose will be governed by model contract clauses under data protection law.

We contract with Marston Holdings as a data processor for the collection and enforcement of criminal legal aid contributions. Any personal data shared with the data processor for this purpose is governed by model contract clauses under data protection law.

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### **Automated decision making**

We do not use solely automated decision making within the definition of Article 22(1) of UK GDPR. The overall decision on an application for legal aid or a claim for costs in a legal aid case will always be made by a human decision maker. This could be a member of our staff, or a staff member of a legal aid Provider acting under delegated authority from the Legal Aid Agency.

### Details of transfers to third country and safeguards

Personal data may be transferred to locations in the European Economic Area (EEA) where required by our data processors for hosting, storage and secure backup of our IT services. Such transfers are made on the basis of Adequacy decisions between the UK and EEA in accordance with Article 45 of UK GDPR.

In limited and exceptional circumstances, where required for the provision of technical support, personal data stored in our call centre software may be accessed by support staff located in USA, Romania, Philippines, Singapore or Australia. Where transfers for this purpose are made to locations without Adequacy decisions the transfer is made on the basis of exceptions under Article 49 of UK GDPR and is required for the legitimate interests of the Ministry of Justice. The software provider maintains the same standards of IT and personnel security for its services overseas as it does for services in the UK.

### Retention period for information collected

Your personal information will not be retained for any longer than is necessary for the lawful purposes for which it has been collected and processed. This is to ensure that your personal information does not become inaccurate, out of date or irrelevant. The Legal Aid Agency have set retention periods for the personal information that we collect, this can be accessed via our website:

https://www.gov.uk/government/publications/record-retention-and-disposition-schedules

You can also contact our Data Protection Officer for a copy of our retention policies.

While we retain your personal data, we will ensure that it is kept securely and protected from loss, misuse or unauthorised access and disclosure. Once the retention period has been reached, your personal data will be permanently and securely deleted and destroyed.

### Access to personal information

You can find out if we hold any personal data about you by making a 'subject access request'. If you wish to make a subject access request please contact:

Disclosure Team - Post point 10.25 Ministry of Justice 102 Petty France London SW1H 9AJ

Data.access@justice.gov.uk

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### When we ask you for personal data

We promise to inform you why we need your personal data and ask only for the personal data we need and not collect information that is irrelevant or excessive.

When we collect your personal data, we have responsibilities, and you have rights, these include:

- That you can withdraw consent at any time, where relevant;
- That you can lodge a complaint with the supervisory authority;
- That we will protect and ensure that no unauthorised person has access to it;
- That your personal data is shared with other organisations only for legitimate purposes;
- That we don't keep it longer than is necessary;
- That we will not make your personal data available for commercial use without your consent; and
- That we will consider your request to correct, stop processing or erase your personal data.

### You can get more details on:

- Agreements we have with other organisations for sharing information;
- Circumstances where we can pass on personal information without telling you, for example, to help with the prevention or detection of crime or to produce anonymised statistics;
- Our instructions to staff on how to collect, use or delete your personal information;
- How we check that the information we hold is accurate and up-to-date; and
- How to make a complaint.

For more information about the above issues, please contact the;

The Data Protection Officer Ministry of Justice 102 Petty France London SW1H 9AJ

dataprotection@justice.gov.uk

### **Complaints**

When we ask you for information, we will comply with the law. If you consider that your information has been handled incorrectly, you can contact the Information Commissioner for independent advice about data protection. You can contact the Information Commissioner at:

Information Commissioner's Office Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF

Tel: 0303 123 1113 www.ico.org.uk

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Official use Interests of Justice test	I have performed the Interests of Justice test for case number:	
Consider all the available details of all the charges, against the Interests of Justice criteria.	The application is <b>passed</b> The application	cion is <b>refused.</b> My reason(s):
Mention issues here which you considered when you decided the application. Include information given orally.		
Signed	Name of the appropriate officer	Date
		/ /
Financial eligibility for  Magistrates' Court	Passed Refused	
Crown Court	Refused: Ineligible	
	Granted: No income contribution	
	Granted: Contribution of £	
Signed	Name of the appropriate officer	Date
		/ /