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 Aid	
Agency	

	.gov.uk/governm		nrectiy,				
	aid-application-fore help or advice, p		olicitor.	MAAT Reference (for official use)			
	For the Legal	Representati	ve's use	The court heari	ng the case		
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 Either way Indictable Appeal to Cro	Committal for Appeal to Cro Trial now in Cro own Court and no	wn Court own Court	Priority case Custody Late applica Date of trial	Vulnerable		ial
	About you: 1						
1	Mr Mrs Miss Ms (Other title Yo	our forenames	or other names (i	n block letters)		
GUIDANCE							
	Your surname or	family name (in BL	OCK LETTERS)		Your date of bi	rth	
National Insumance	National Insurance	e Number		Application Regi	stration Card (A	ARC) Number	
National Insurance Number and ARC							
Number: give one		Г			l		
of these only.	This is a new a	• •	This applica	ation relates to a cl	hange of financ	ial circumstan	ces.
_	Contacting yo						
2	Do you have a us	ual home addres	ss?				
	∐ No	Yes Y	our usual home	e address			
					Postcode		
3	To what address	ahauld wa wiita i	to vou?				
✓ 'Your solicitor's	To what address		•				
address only, if you		me address (the a	•				
are of 'No Fixed Abode', or not at		s address (see the	e side note)				
your usual address	☐ This address						
because you are on bail or remand.					Postcode		
4	Your email addre	ess					

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!	nip
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	ed with an adult?
	No: Go to	23 Yes: Go to 23
8	Do you have a partner?	
! GUIDANCE		
GUIDANCE	No: Go to 9 Yes: Go to 10	
9	You are: Single: Go to 14 W	/idowed: Go to 14
✓ one box	Divorced or have dissolved	l a civil partnership: Go to 14
GUIDANCE	☐ Separated — → Date of	
		Go to 14
10	You and your partner are:	
✓ one box	Married or in a Civil Partnership	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 вьоск letters)
GUIDANCE		
	Surname or family name (in BLOCK LETTERS)	Date of birth
National Insurance		
Number and ARC Number: give one	National Insurance Number	Application Registration Card (ARC) Number
of these only.		
12	le vour partner a vietim, procedution witness	ura co defendant in
If you 🗸 Yes, and	Is your partner a victim, prosecution witness of the case for which you require legal aid?	or a co-defendant in
your partner is a victim, prosecution	No Yes → Victim: Go	to 14
witness, or	Prosecutio	on witness: Go to 14
co-defendant with a conflict of interest,	Co-defend	ant — → Does your partner have
do not give your		a conflict of interest?
partner's details for questions 13 to 22 .		No: Go to 13 Yes: Go to 14

<u>13</u>	$_{_{\parallel}}$ Is your partner's usual home add	dress different f	rom yours (the a	ddress at questi	on 2)?
	\square No \square Yes \longrightarrow	Your partner's u	sual home addre	SS	
		·			
				_	
				Postcode	
	Your income and your pa	rtner's incon	ne		
14	Do you or your partner receive a	any of the benef	its listed here?		
GUIDANCE	\square No \square Yes \longrightarrow	You		Your Partner	
In this form, if you answer Yes to any	Income Support	Go to 23		Go to 23	
question which asks about you or	Income-Related Employment and Support Allowance (ESA)			Go to 23	
your partner, and	Income-Based Jobseeker's				
you can answer Yes for both of	Allowance (JSA)	When did yo	ou last sign on?	When did ye	ou last sign on?
you, give details					
for you and your				6 1 22	
partner, not for		Go to 23		Go to 23	
one of you only.	Guarantee State Pension Credit	☐ Go to 23		Go to 23	
15	Do you or your partner, togethe any other deduction, of more th	•		rom all sources l	pefore tax or
GUIDANCE			complete form	CRM15: Go to 23	ı
GOIDANCE	NO. GO to O 1es	Tod Will fleed to	complete form	CRW13. 00 to 23	•
16	Sources of income for you and y	our partner. Ple	ase give details i	n the table:	
		You		Your Partner	
! EVIDENCE	Employment (wage or salary)	£	OVOTV.	£	over.
\sim	Employment (wage or said y)		every		every
! GUIDANCE about:		☐ Before tax	☐ After tax	☐ Before tax	☐ After tax
■ Employment	Child Benefit	£	every	£	every
■ Total of other			,		
benefits	Working Tax Credits and Child Tax credits	£	every	£	every
Other source of					
income	Universal Credit	£	every	£	every
For all parts of this question:					
	Total of other benefits	£	every	£	every
■ If you do not	Total of other benefits Maintenance income	£	every	£	every
 If you do not receive income from a source, 					,
If you do not receive income	Maintenance income Pensions	£	every	£	every
If you do not receive income from a source, put NIL after the '£'.	Maintenance income	£	every	£	every
 If you do not receive income from a source, put NIL after the '£'. After 'every' 	Maintenance income Pensions Any other source of income	£	every	£	every
If you do not receive income from a source, put NIL after the '£'.	Maintenance income Pensions Any other source of income such as: a student grant or loan	£	every	£	every
 If you do not receive income from a source, put NIL after the '£'. After 'every' put either: 	Maintenance income Pensions Any other source of income such as:	£	every	£	every
 If you do not receive income from a source, put NIL after the '£'. After 'every' put either: week, 	Maintenance income Pensions Any other source of income such as: a student grant or loan board or rent from a family	£	every	£	every

<u>17</u>		r partner self-employed, in a business partnersh	-
GUIDANCE	·	iny director or a shareholder in a private compar	
GUIDANCE	│	Yes → You will need to complete form	n CKW15: Go to 23
18	1	partner have any income, savings or assets whi	ch
		straint order or a freezing order?	
	│	Yes → You will need to complete form	n CRM15: Go to 23
<u>19</u>	Are you charge	ed with a Summary offence, only?	
! GUIDANCE	No	Yes: Go to 22	
20		partner own or part-own any land or property or own home, in the United Kingdom or overseas?	•
		Yes — You will need to complete form	
	i Livo	res — Frod will freed to complete for	11 CRW 13. GO 10 23
21		partner have any savings or investments, (ingdom or overseas?	
GUIDANCE	No	Yes — You will need to complete form	m CDM15: Co to 22
GOIDANCE	I L INO	res — From will freed to complete for	11 CRIVI 13. GO 10 23
22	1	ers to the previous questions tell us that you have nich we have asked about?	e no income from any of
	No		on vous hills and daily ovnonces?
	L NO	☐ Yes → How do you and your partner p	bay your bills and daily expenses?
	Information	for the Interests of Justice test	
23	What charges h	nave been brought against you?	
GUIDANCE	Charge		Date of offence
Describe the	1		
charge briefly:			
for instance, 'Assault on a	2		
neighbour'.	2] [
	3		
	4		
	1		
24	The type of off	ence with which you are charged	
! 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 damage, ar	nd less serious drugs offences
most serious.	Class D:	Sexual offences and offences against children —	→

	Class E:	Burglary etc				
	Class F:	Other offences of othe value is £30,00	dishonesty (specified 0 or less)	d offences a	nd offences where	
	Class G:		dishonesty (specified exceeds £30,000 bu			
	Class H:	Miscellaneous othe	er offences			
	Class I:	Offences against p	oublic justice and sim	nilar offence	S	
	Class J:	Serious sexual offe	ences			
	Class K:	Other offences of o	dishonesty (high val	ue: if the va	lue involved exceeds £100,000)	
25	Do vou have an	y co-defendants in	this case?			
	No: Go to 27					
26	Is there any reas		our co-defendants	cannot be r	epresented by	
	No	☐ Yes — → Th	he reason(s)			
	·					
27	Are there any of are still in progr		or charges against	you or you	partner which	
	No	☐ Yes — Yo	ou		Your Partner	
		The charges				
		L				_
	The Court I	hearing the case				
	Date of t	the next hearing				
28		_	r which you need le			
	The Court hearing	ng the case			Date of the hearing	

	Why do you want legal aid?
ANCE	1 It is likely that I will lose my liberty if any matter in the proceedings is decided against me.
are easons.	
est you ne or sons help of r.	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.
on ay	3 It is likely that I will lose my livelihood.
ason.	4 It is likely that I will suffer serious damage to my reputation.
nore ver, et put ie, and	A substantial question of law may be involved (whether arising from legislation, judicial authority or other source of law).
	6 I may not be able to understand the court proceedings or present my own case.
t	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.

Legal representation 30 The solicitor who you want to act for you (I) 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 _{or} 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

4	2 Do you consider that you have a disability?
✓ one box in the table to show the	No Yes — ➤ The best definition is:
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
✓ one box in	Black African Traveller African
the table of	
ethnic groups.	│
	☐ Mixed ☐ Asian ☐ I prefer not to say other
	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
34	Has a court remanded you in custody?
	No:Go to 36 Yes: Go to 35
35	Will your case he heard in a magistrates' sourt?
33	Will your case be heard in a magistrates' court?
	No
36	Are you employed?
! EVIDENCE	No Yes — ▶ ■ If your case will be heard in a magistrates' court, or it is
EVIDENCE	a committal for sentence or appeal to the Crown Court
	We need a copy of your wage slip or salary advice. You must
EVIDENCE	provide it with this form: see the guidance about evidence.
	■ 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.
	Sebergarion 200 mg 2000 condenses
37	If you have a partner, now go to 38 . If you do not have a partner, go to 39 .

Declaration by your partner

38

UGUIDANCE

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.

Signed

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

> > Date

Signed	Dute
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.

Sometimes the Legal Aid Agency uses contact information to ask customers if they would like to complete a customer service survey to measure customer satisfaction with our services and to inform areas for improvement.

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 this form 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 on this form will 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 on this form is for the purposes of providing legal aid. Specifically, we will use this personal data in the following ways:

- In processing your application for legal aid and determining whether you are eligible for legal aid. In Crown Court proceedings, the information on this form will be used to determine 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.
- If you are convicted, sharing the information on this form with HM Courts and Tribunals Service (HMCTS) or a designated officer to determine the appropriate level of any financial penalty against you, and for its collection and enforcement, if appropriate.
- In assessing claims from your legal representative(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; and
- 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.

The lawful basis for the Legal Aid Agency collecting and processing your personal data is the result of the powers contained in the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

We also collect 'special categories of personal 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 obtained for equality monitoring will be treated with the strictest confidence and any information published will not identify you or anyone else associated with your legal aid application.

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:

- Public authorities such as: The Driver and Vehicle Licensing Agency (DVLA), HM Courts and Tribunals Service (HMCTS), HM Revenue and Customs (HMRC), Department of Work and Pensions (DWP) and HM Land Registry;
- Non-public organisations such as: Credit reference agencies and our debt collection partners,
 Rossendales:
- 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; and
- Amazon Web Services, Inc.

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

Details of transfers to third country and safeguards

It may sometimes be necessary to transfer personal information overseas. When this is needed, information may be transferred to:

United States of America

Any transfers made will be in full compliance with all aspects of the data protection law.

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 10.38

102 Petty France

London

SW1H 9AJ

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 MoJ Data Protection Officer;

Post point 10.38

102 Petty France

London

SW1H9AJ

data.compliance@justice.gov.uk

For more information on how and why your information is processed, please see the information provided when you accessed our services or were contacted by us.

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

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 passed The application	cion is refused. 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
		/ /