



What is Universal Credit?

Universal Credit (UC) is a new single payment for people who are looking for work or are on a low income. UC simplifies the benefits system by bringing together a range of working-age benefits into a single, streamlined payment.

Where has Universal Credit been introduced?

Since April 2013 the Department for Work and Pensions has been rolling out Universal Credit to its Job Centres in certain geographical areas, largely the North West of England. From February 2015 Universal Credit will be rolled out to all Job Centres.

The approach to roll out has been to initially target new claims from single jobseekers and then over time the roll out has introduced couples and families.

How does Universal Credit affect legal aid means testing?

From 29 April 2013, UC became a passporting benefit.

In all civil cases, clients who receive UC will be passported through the gross income and disposable income test.

However, their capital must be assessed and some clients will be required to pay a contribution from their capital.

In magistrates' court criminal cases, clients who receive UC will not be required to have an initial or full means assessment.

In Crown Court criminal cases, clients are automatically exempt from making any contributions under Crown Court Means Testing (CCMT).

How will legal aid applications for those in receipt of Universal Credit be dealt with?

You should process a legal aid application for a UC recipient in the same way as an application for someone who receives another passporting benefit, e.g. income support.

How does Universal Credit affect civil providers?

Our Controlled Work forms do not specifically mention UC. So, at the start of the income section of the form, please tick the 'yes' box indicating receipt of a 'passporting benefit'.

When using the civil eligibility calculator, answer 'yes' to question 2 on the front page: *'Is the client directly or indirectly in receipt of Income Support, Income Based Jobseeker's Allowance, Income Based Employment and Support Allowance or Guarantee Credit'*.

We have amended the CIVMEANS2 and CIVAPP6 forms to include UC in the list of passported benefits.

We will check the applicant has received UC with the paying agency.

How does Universal Credit affect crime providers?

The forms introduced on the 1 April 2013 include a UC box.

Applicants must tell us how much UC they (or their partner) receive, and how often, on either the CRM14 (or CRM15 if used).

We will passport applicants where they (or their partner) are in receipt of UC. If the check with DWP returns a 'no', as with non-passported applicants, the CRM 14 will be processed with the amount and frequency of benefits, or evidence of the UC award can be submitted with the form.

If the income of the applicant, together with that of any partner, is under £12,475 then they will be processed on the CRM14 only, unless directed to also complete the CRM15 at questions 17 to 21.

The CRM14 eForm doesn't include UC. So crime providers using the CRM14 eForm in the eForm early adopter area, should tick the 'Guaranteed State Pension Credit' box if the applicant is on UC.

If the eForm or DWP check at court returns a 'No' response, it is in the applicant's interest to provide evidence that they receive UC, otherwise they may be liable to a contribution towards the cost of their case.

Evidence of means

A copy of the UC decision letter (dated within the past six months) should be submitted and retained on file as evidence.

More information

For information on client eligibility and evidential requirements, visit the Gov.uk website:

- <https://www.gov.uk/civil-legal-aid-means-testing>
- <https://www.gov.uk/criminal-legal-aid-means-testing>

For information on Universal Credit, visit the Department for Work and Pensions website:

- <http://www.dwp.gov.uk/policy/welfare-reform/universal-credit>

As UC is rolled out, we will publish more information.

Who should I contact if I have a query?

Civil Legal Help enquiries: 0207 718 8376

Civil Certificated enquiries: 0300 200 2020

National Courts Team- Liverpool
Telephone: 0151 235 6750
Email: liverpool.query@legalaid.gsi.gov.uk

National Courts Team- Nottingham:
Telephone: 0115 852 6000
Email: nottingham.query@legalaid.gsi.gov.uk