



# Important information about your legal aid

Helping you understand your responsibilities now you are receiving legal aid for your Crown Court case, as well as those of the Legal Aid Agency (LAA) and our collection and enforcement agent, Marston Holdings Ltd (MHL).

## Your Responsibilities

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You must provide all information and evidence requested by the LAA or Marston.

If you do not provide this, the LAA may apply a sanction. This would mean that you pay more, and may result in additional fees due to enforcement.

You must tell the LAA if you have any changes in your circumstances, whether they relate to your income, outgoings or your capital and equity.

If you do not tell us about a change you may have to pay more than you need to. For us to be able to backdate any reduction in your income contribution, you should tell us about the change within 28 days of it occurring.

These could include, for example, changes in employment, moving to a new house, co-habiting with someone or a relationship breakdown.

If you do not tell us about a change that would mean you can afford to pay more (such as an increase to your income), the LAA may take action against you for fraud.

To tell us about a change whilst your case is ongoing you should discuss with your solicitor, who will submit the relevant information and evidence online. If your case has concluded and you are waiting to be told if you have anything to pay from capital, or you disagree with the amount you have been asked to pay from capital, you should contact the LAA or the collection and enforcement agent. You must clearly explain why you disagree, and provide evidence of any changes you believe affect your ability to pay.

If you are convicted of some, but not all, offences, you may apply to the trial judge (or another judge nominated for the purpose) for an order that you pay only a proportion of the contribution you must make towards your final defence costs.

Your conducting solicitor will be able to advise on the relevancy of this and make the application to the Judge, which must be made within 21 days of the date you are sentenced (or otherwise dealt with) following conviction. This is known as 'Judicial Apportionment'.

## Legal Aid Agency's role and responsibilities

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We process your application and assess your ability to pay in line with the Regulations set out here:  
<http://www.legislation.gov.uk/uksi/2013/483/contents/made>

We do this by asking you for information and evidence but also by completing independent checks - which may be before or after your case has concluded - to validate what you have told us. These checks may then be used to calculate your Capital Contribution Order. For example, we independently check the value of any property

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We carry out all assessments and reassessments before conviction.	All necessary evidence and changes in circumstances should therefore be provided to the Legal Aid Agency (although any change should be submitted online by your solicitor).
We will review your case after conviction if you are not happy with how much you have been asked to pay from capital.	You should put your reasons in writing.
We must take reasonable steps to make sure you can challenge the decisions we make about your contributions, both before and after conviction.	For reference, this is outlined in the Criminal Legal Aid (Contribution Orders) Regulations 18 (before conviction) and 35 (after conviction).
We must reassess your ability to pay where:	<ul style="list-style-type: none"> <li>• you provide us with information or evidence which differs from what you have previously told us</li> <li>• we receive information about your financial circumstances that you have not told us about - this could be from credit checks, other government agencies or third parties</li> <li>• it appears that there has been a miscalculation or an administrative error</li> <li>• you tell us about a change in your financial circumstances</li> </ul>

## Marston's role and responsibilities

The LAA has delegated some administration to the collections and enforcement agent Marston Holdings Ltd.

Marston are responsible for the collection and enforcement of contributions.	<p>Marston will contact you to confirm that they have received our instructions and tell you how you can make payment.</p> <p>It is therefore important that if you receive any notification about payment, or a request for evidence or information from Marston, that this is dealt with as urgently as possible. Failure to do so could result in additional fees being incurred.</p>
Marston calculate whether a Capital Contribution Order is due at the end of the case from any capital assets you own.	This means that you may contact them directly if you are concerned that your Capital Contribution Order is incorrect. You should ensure that you explain in detail why you believe the order is incorrect and provide evidence to support this.

## Contact details

Legal Aid Agency	Marston Holdings Ltd
<p>Telephone: 0300 200 2020</p> <p>Email: <a href="mailto:Nationalcrimeteam@justice.gov.uk">Nationalcrimeteam@justice.gov.uk</a></p> <p>Postal:</p> <p>The National Crime Team Legal Aid Agency Fothergill House 16 King Street Nottingham NG1 2AS</p>	<p>Telephone:</p> <p>0333 320 2150 (general queries) 0333 006 8344 (automated payment line)</p> <p>Email: <a href="mailto:ccmt@marstonholdings.com">ccmt@marstonholdings.com</a></p> <p>Postal:</p> <p>Marston Holdings Limited PO Box 324 BB4 0GF</p>