



Legal Aid
Agency

Instructed Advocate guidance for advocates

I certify that I am the Instructed Advocate as I notified the court in writing before the PCMH as per the relevant provision of any secondary legislation arising from the Legal Aid, Sentencing and Punishment of Offenders Act 2012. A copy of the letter is attached.

If you have ticked this box, please ensure that you provide a copy of the letter sent to court. The letter should be dated on or before the PCMH date.

The Legal Aid Agency (LAA) Crime caseworker will check the trial records to validate whether the person claiming to be the Instructed advocate (IA) is the IA.

- If a letter that was sent to the courts is attached to the claim and confirms that the Advocate claiming is the IA, plus the letter is dated on or before the PCMH, your claim will be **assessed accordingly**.
- If no letter has been received and the court records does not support that you attended the PCMH, your claim will be **rejected**.

I certify that I am the Instructed Advocate as I attended the PCMH and no other advocate wrote to the court prior to this to advise that they were the Instructed Advocate as per the relevant provision of any secondary legislation arising from the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

If you have ticked this box, then LAA caseworker will check the trial records to validate whether the person claiming to be the IA, attended on the date showing to be the PCMH.

- If the court records confirm that the advocate claiming to be the IA attended the PCMH, your claim will be **assessed accordingly**.
- If the court records does not confirm that you attended the PCMH date, your claim will be **rejected** and we will ask for the correct IA (The person who attended the PCMH) to submit the claim.

I certify that I am the Instructed Advocate as I attended the first hearing after the PCMH and no other barrister or solicitor advocate attended the PCMH or wrote to the court prior to this to advise that they were the Instructed Advocate as per the relevant provision of any secondary legislation arising from the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

If you have ticked this box, the LAA Crime caseworker will check the trial records to validate that no other advocate attended on the PCMH date, plus that no other advocate except for the advocate claiming to be the IA attended the first hearing after the PCMH date.

- If the trial records confirm that no other advocate attended the PCMH and the advocate claiming attended the first hearing after the PCMH, we will **assess the claim accordingly**.
- If the trial records confirm that another advocate did attend the PCMH or that the advocate claiming did not attend the first hearing after the PCMH date, your claim will be **rejected**.

I certify that I am the Instructed Advocate as there was a change of Instructed Advocate under the provision of the relevant provision of any secondary legislation arising from the Legal Aid, Sentencing and Punishment of Offenders Act 2012. The court was notified of this in writing by the previous Instructed Advocate

This box should only be ticked where a new Instructed Advocate must be nominated and notified to the court, due to the following

- a date for trial is fixed at or before the PCMH and the instructed advocate is unable to conduct the trial due to his other pre-existing commitments
- he is dismissed by the assisted person or the litigator;
- he is required to withdraw because of his professional code of conduct.