

**ARMED FORCES CRIMINAL LEGAL AID  
APPLICATION FOR REVIEW ON GROUNDS OF HARDSHIP**

**PRIVACY NOTICE – ACCESS TO PERSONAL DATA**

Armed Forces Criminal Legal Aid Authority (AFCLAA) takes active decisions in the processing of personal data and is bound by MOD Policy and Data Protection Legislation (DPA 18). In processing personal data, AFCLAA is acting on behalf of the Data Controller, the MOD. AFCLAA has put policy and processes in place to ensure processing is conducted appropriately, safely and by trained administrators in accordance with the 6 Data Protection Principles.

In order for AFCLAA to fulfil its obligations the information provided by you in this Hardship Review application form is solely used for the purposes of:

- Calculating, or recalculating, your contribution liabilities (if appropriate), and
- communicating with the Military Court Service and Unit HR personnel as required.

The Hardship Review application form is retained on file, archived and then destroyed after 7 years, in accordance with MOD policy; personal and financial documentation provided in support of the application, is destroyed once the case has been concluded, and before the file is archived.

The information required on the form must be correct at the time of application, and any subsequent re-assessment application; once any contributions required have been paid in full, there is no requirement to inform AFCLAA of changes to personal and/or financial circumstances.

You have the right to request details about the personal information we hold about you; If you wish to request a copy of the personal information held, please contact Deputy Head AFCLAA at the address below:

Armed Forces Criminal Legal Aid Authority,  
Trenchard Lines, Upavon,  
Pewsey, Wiltshire, SN9 6BE

**Email:** [MCS-AFCLAA-Group@mod.gov.uk](mailto:MCS-AFCLAA-Group@mod.gov.uk)

**Military Tel:** 94344 8915 or 8008.

**Civilian Tel:** 01980 61 8915 or 8008

You **MUST** complete all questions and provide evidence where required. If you do not, it may cause a delay to your Hardship Review application being processed. This means that you may be required to continue to make monthly contributions at the assessed level.

The completed form, and supporting evidence, must be faxed or scanned/email to AFCLAA without delay:

**FAX: 94344 5691 or 01980 615691 or email: MCS-AFCLAA-Group@mod.gov.uk**

Once faxed, the completed original form **MUST** be sent, with documentary evidence, to:

AFCLAA  
Trenchard Lines  
Upavon  
Pewsey  
Wilts  
SN9 6BE

**Part A - Personal Particulars**

Service/Status		Service No		Rank/Rate	
Surname		First Name(s)			

PROTECT – PERSONAL DATA (WHEN COMPLETED)

Unit Title, Address & Postcode	
Date offer of legal aid made by AFCLAA	(dd/mm/yyyy)

**Part B - Reason for review on the grounds of hardship**

**Denied access to income.**

You should complete this section if you have been denied access to a source of income that was included in your original application for legal aid (e.g. maintenance, tax credits which have stopped since completing your initial application)

Give details of income you have been denied access to  
**You must provide evidence**

2a. State how  
much and how  
often payments  
would have been  
received

£

every

( week/month/year)

2b. Date from  
which you were  
denied this income

(dd/mm/yyyy)

**Extra expenditure**

You should complete this section if you have extra expenditure other than that already accounted for in your original application for legal aid.

**3.** Give details of extra expenditure and how often you make payments. Please attach additional sheets if necessary.

**You must provide evidence e.g. copy of loan/financial agreement; copy of latest statement, showing amount outstanding, minimum payment (if applicable) and frequency of payment.**

**Applicants are expected to try to reschedule debt repayments, wherever possible, to enable payment of their legal aid contributions.**

Type of expenditure	Amount	Frequency (weekly, fortnightly, monthly)
	£	
	£	
	£	

**PROTECT – PERSONAL DATA (WHEN COMPLETED)**

4. You should use this section to inform AFCLAA of any additional circumstances that are not taken into account elsewhere on this form, which may affect your ability to pay towards your legal aid costs. Please attach additional sheets if necessary

**Declaration**

**5. Your declaration**

- |    |                                                                                                                                                                                                  |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. | I certify that all the information set out in this application is a true statement of my personal circumstances, and that of my spouse/civil partner as it stands this day.                      |
| b. | I understand that if I knowingly make a false statement, or withhold information, I may be prosecuted and may be liable for the full cost of any defence carried out by my legal representative. |

Signature	
Name	
Date	

**6. Unit Declaration**

***To be completed by the Certifying Officer, not below the rank of PO/Sgt.***

- |    |                                                                                                                 |
|----|-----------------------------------------------------------------------------------------------------------------|
| a. | I certify that the financial information provided is accurate as far as can be certified on the day of signing. |
|----|-----------------------------------------------------------------------------------------------------------------|

Signature	
Name	
Date	
Rank/Rate	

PROTECT – PERSONAL DATA (WHEN COMPLETED)

**Hardship Review application: What can or can't be considered ?**

The Hardship Review allows you to ask for additional items of expenditure, not included in the original application, to be taken into account.

<b>CAN be considered</b>	<b>CANNOT be considered</b>
Loans (e.g. secure, unsecured or car loans)	Items covered by the Basic Living Allowance and therefore already included in the Means Test:
Credit/Store card payments (limited to minimum monthly payments)	- Food and non-alcoholic drinks
Student loans	- Clothing and footwear
Individual Voluntary Arrangement (IVA) or other formal repayment plans in respect of personal debt recovery (e.g. rent arrears)	- Fuel and power (e.g. electricity and/or gas bills)
Fines/County Court Judgements	- Household goods and services (e.g. satellite or cable TV; broadband/internet)
Necessary and regular prescription payments (e.g. monthly charges, for long-term or permanent illness or disability)	- Health (e.g. prescriptions, unless for long-term or permanent illness or disability)
Boarding school fees (where it can be shown that these are necessary for Service or Operational reasons)	- Transport (e.g. car insurance; fuel; car repairs; c m g c s s - Communications (e.g. home and mobile phones)
Travel and other costs associated with specialised medical or educational needs of a dependent	- Miscellaneous goods and services (e.g. window-cleaning; gardening etc)
Private Pension Plans	- Education (e.g. school fees, except where necessary for Service or Operational reasons; school outings; extra-curricula activities etc)
	- Housing (other than rent/mortgage and council tax/CILOCT already included in Means Test – e.g. household, building and contents insurances etc)
	'Luxury' items:
	- Tickets to events, including season tickets for sports matches etc;
	- Any costs associated with owning a pet/pets, including insurance, vets bills, quarantine etc
	- Family activities e.g. outings; photographic sessions etc
	- Miscellaneous items e.g. Mess subscriptions; donations to charitable organisations; voluntary payments to family members (other than maintenance for dependent children)