



Legal Aid
Agency

Change in capital

Some time ago you applied for legal aid and filled in a financial statement. We need to look again at your financial circumstances because you or your partner have received money/property which may affect your assessment.

- 4 Fill in this form if you or your partner have received capital since you first applied for Legal Aid. By partner we mean someone you are married to or have a civil partnership with or normally live with as a couple.
- 4 Changes must also be reported on CIV MEANS 1 (income and/or capital changes) or CIV MEANS 2 (capital changes for those receiving passporting benefits).
- 4 Forms can be obtained from your solicitor, or downloaded from our website:
www.justice.gov.uk/legal-aid/
- 4 Please read the declaration on page 3 and answer all the questions on this form. We need these details even if your court case has finished.
- 4 Please enter your Legal Aid reference number in this box if it is not already shown.

Tell us this number if you contact us.

For office use only

Personal injury

- 4 This form must be completed in ink.

Your details

Surname: Mr/Mrs/Miss/Ms: _____

Other names: _____

Date of birth: ____ / ____ / ____ Date of birth of your partner: ____ / ____ / ____

Date of birth is important because we might make special financial allowances.

Address: _____

_____ Postcode: _____

Address where we can write to you if you do not want us to use the address above:

_____ Postcode: _____

Phone number where we can contact you during the day: _____
(including STD code)

Your solicitor's details

Name of your solicitor: _____

Name and address of firm: _____

Phone: _____ Reference number: _____

1. Is your change in capital due to you or your partner receiving a sum of money?

No: please go to question 5

Yes: please tell us

How much money did you or your partner get? £ _____
(including monies held by your solicitor)

When did you get this money? _____ / _____ / _____

Where did this money come from? _____

Please enclose proof of the amount received.

2. Have you or your partner already spent some of the money?

No: please go to question 3

Yes: please tell us

When did you spend the money?	What did you spend the money on?	How much did you spend?	Why did you have to spend the money at this time?
_____/_____/_____	_____	£ _____	_____
_____/_____/_____	_____	£ _____	_____
_____/_____/_____	_____	£ _____	_____

Please enclose proof of what you have spent the money on (for example, bills or receipts). If you have moved house, you must send the completion statement for your new house with this form.

YOU MUST SEND PROOF, WE CANNOT PROCEED WITHOUT IT.

3. Will you or your partner have to spend some of the money?

4 This might be for things like buying a new home, buying furniture or paying debts.

No: please go to question 4

Yes: please tell us

When are you going to spend the money?	What are you going to spend the money on?	How much are you going to spend?	Why do you have to spend the money at this time?
_____/_____/_____	_____	£ _____	_____
_____/_____/_____	_____	£ _____	_____
_____/_____/_____	_____	£ _____	_____

Please send estimates or bills for these things with this form. WE CAN NOT PROCEED WITHOUT THEM.

4. Please enclose all your **savings books**, and **bank statements** you have received since you got the money. If you have a partner, please send their savings books and bank statements as well. We will send these back to you as soon as we can. If you do not want to send the originals, we will accept clear photocopies. Please list below the things you are sending so we can check we got them safely.

5. Have you or your partner received any other assets?

4 For example, shares, jewellery, paintings, property, unit trusts.

No: please go to question 6

Yes: please give details including current valuation of each.

Type of Asset	When did you receive it?	Current Valuation
_____	____ / ____ / ____	£ _____
_____	____ / ____ / ____	£ _____

6. Has your capital changed in any other way since you first applied for Legal Aid?

No:

Yes: please give details including current valuation of each

Declaration and authority

4 The information I have given on this form is correct and complete.

4 I understand that if the information is not complete and correct I may be prosecuted.

4 I agree that the Legal Aid Agency can contact other parties such as credit reference agencies, the Department of Work and Pensions (DWP) and HM Revenue and Customs (HMRC) to obtain information about my financial circumstances and I authorise those parties to provide the information they are asked for.

4 I understand that I must co-operate fully and immediately with any enquiry into my financial circumstances by the Legal Aid Agency and that, if I do not, any certificate granted to me may be revoked (i.e. cancelled) at which point I will become liable to pay all the costs that may have been incurred.

Signature: _____ Date: ____ / ____ / ____

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.

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 a legal aid application 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 in your legal aid application will only 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 in a legal aid application is for the purposes of providing legal aid. Our lawful basis is 'the performance of a task carried out in the public interest or in the exercise of official authority' as set out in Article 6(1)(e) of UK GDPR. The tasks are those set out in the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Specifically, we will use this personal data in the following ways:

- In deciding whether you are eligible for legal aid, 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.
- In assessing claims from your legal aid Provider(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.
- 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.

We collect 'special categories of personal data'. This data is collected where necessary for the purposes set out above. The condition under which we process this data is Article 9(g) of UK GDPR – Reasons of substantial public interest. Our associated Schedule 1 condition is Statutory and Government purposes. We also collect this 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 will be treated with the strictest confidence and any information published under the Equality Act will not identify you or anyone else associated with your legal aid application.

We collect 'personal data relating to criminal convictions and offences or related security measures'. This data is collected where relevant for the purposes set out above. The Legal Aid Agency is an Executive Agency of the MoJ, an Official Authority for the purposes of Article 10 of UK GDPR.

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:

- Your instructed legal aid Provider(s), including any advocate instructed by a legal aid solicitor;
- Public authorities such as: HM Courts and Tribunals Service (HMCTS), HM Revenue and Customs (HMRC), Department of Work and Pensions (DWP), Home Office and HM Land Registry;
- Non-public authorities such as: Credit reference agencies Equifax and TransUnion and our debt collection partners Marston Holdings
- 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. We may specifically share data with HMRC and DWP for fraud prevention, investigation and prosecution purposes; and
- Where a debt is owed to the Legal Aid Agency, we may share your data with public authorities such as HMRC and DWP and with debt collection partners such as Marston Holdings for the purposes of tracing, debt collection and enforcement.

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

Data Processors

We may contract with third party data processors to provide email, system administration, document management and IT storage services. Any personal data shared with a data processor for this purpose will be governed by model contract clauses under data protection law.

We contract with Marston Holdings as a data processor for the collection and enforcement of criminal legal aid contributions. Any personal data shared with the data processor for this purpose is governed by model contract clauses under data protection law.

Automated decision making

We do not use solely automated decision making within the definition of Article 22(1) of UK GDPR. The overall decision on an application for legal aid or a claim for costs in a legal aid case will always be made by a human decision maker. This could be a member of our staff, or a staff member of a legal aid Provider acting under delegated authority from the Legal Aid Agency.

Details of transfers to third country and safeguards

Personal data may be transferred to locations in the European Economic Area (EEA) where required by our data processors for hosting, storage and secure backup of our IT services. Such transfers are made on the basis of Adequacy decisions between the UK and EEA in accordance with Article 45 of UK GDPR.

In limited and exceptional circumstances, where required for the provision of technical support, personal data stored in our call centre software may be accessed by support staff located in USA, Romania, Philippines, Singapore or Australia. Where transfers for this purpose are made to locations without Adequacy decisions the transfer is made on the basis of exceptions under Article 49 of UK GDPR and is required for the legitimate interests of the Ministry of Justice. The software provider maintains the same standards of IT and personnel security for its services overseas as it does for services in the UK.

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 10.25
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Data.access@justice.gov.uk

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;

The Data Protection Officer
Ministry of Justice
102 Petty France
London
SW1H 9AJ

dataprotection@justice.gov.uk

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