

# Financial statement for legal aid in criminal proceedings

Form CRM15



**OFFICIAL**

Form CRM15C enclosed?

MAAT Reference   
(for official use)

## About you

**1**

Mr Mrs Miss Ms Other title Your forenames or other names (in BLOCK LETTERS)

Your surname or family name (in BLOCK LETTERS) Your date of birth

**!** **GUIDANCE** This Statement is for:  a new application.  a change of my financial circumstances.

## Your income and your partner's income

**2**

**!** **GUIDANCE** Check the guidance to see if you need to include your partner's details.

**!** **CRM15C**

Are you, or your partner, an employee (employed by someone else)?

No  Yes → You Your Partner

Employer's name	<input type="text"/>	<input type="text"/>
Employer's full address including the post code	<input type="text"/>	<input type="text"/>
Job title, or briefly describe the job	<input type="text"/>	<input type="text"/>
Salary or wage	£ <input type="text"/> every <input type="checkbox"/> Before tax <input type="checkbox"/> After tax	£ <input type="text"/> every <input type="checkbox"/> Before tax <input type="checkbox"/> After tax
<b>Deductions:</b>		
Income Tax	£ <input type="text"/> every	£ <input type="text"/> every
National Insurance	£ <input type="text"/> every	£ <input type="text"/> every
Any other deduction	£ <input type="text"/> every Details: <input type="text"/>	£ <input type="text"/> every Details: <input type="text"/>

**!** **EVIDENCE** For all questions in this form after 'every' put either: week, 2 weeks, 4 weeks, month, or year.

**3**

Are you or your partner self-employed, employed in a business partnership, or employed as either a company director or a shareholder in a private company?

**!** GUIDANCE

If you ✓ Yes, put **NIL** in any answer box which does not apply to you or your partner.

<input type="checkbox"/> No	<input type="checkbox"/> Yes →	<b>You</b>	<b>Your Partner</b>
Self-employed: the number of businesses	<input type="text"/>	<input type="text"/>	<input type="text"/>
Business partnership: the number of partnerships	<input type="text"/>	<input type="text"/>	<input type="text"/>
Director or Shareholder: the number of private companies	<input type="text"/>	<input type="text"/>	<input type="text"/>

**4**

Have you or your partner received a self assessment tax calculation sheet from HM Revenue and Customs telling you about your tax liability, within the last 2 years?

**!** GUIDANCE

**!** EVIDENCE

<input type="checkbox"/> No	<input type="checkbox"/> Yes →	<b>You</b>	<b>Your Partner</b>
The tax liability	£	every	£
	<input type="text"/>	<input type="text"/>	<input type="text"/>

**5**

About the first or only business, partnership, directorship or shareholding which you told us about in question 3. Please give details in the table.

**!** GUIDANCE

**!** EVIDENCE

**!** CRM15C

Some parts of this question may not apply to you or your partner. If you think a box does not apply, say that in the box.

If a question asks for a sum of money and the amount is £NIL, put **NIL**.

	<b>You</b>	<b>Your Partner</b>
Total turnover over the last 12 months	£ every <input type="text"/>	£ every <input type="text"/>
Total drawings over the last 12 months	£ every <input type="text"/>	£ every <input type="text"/>
Total profit over the last 12 months	£ every <input type="text"/>	£ every <input type="text"/>
Percentage share of profit	<input type="text"/> per cent (%)	<input type="text"/> per cent (%)
Director's salary or remuneration received	£ <input type="text"/>	£ <input type="text"/>
Total income from share sales	£ <input type="text"/>	£ <input type="text"/>
The trading name of the business or partnership	<input type="text"/>	<input type="text"/>
The trading address or registered address	<input type="text"/>	<input type="text"/>
In business with anyone else?	<input type="checkbox"/> No <input type="checkbox"/> Yes → Their name(s): <input type="text"/>	<input type="checkbox"/> No <input type="checkbox"/> Yes → Their name(s): <input type="text"/>
The nature of the business	<input type="text"/>	<input type="text"/>
How many people work for the business?	<input type="text"/>	<input type="text"/>
The date when the business began trading	<input type="text"/>	<input type="text"/>

**6** Do you or your partner receive from work any benefit that is not money – such as a company vehicle, relocation payments, vouchers for childcare, or private health insurance?

**!** GUIDANCE

**!** EVIDENCE

No       Yes → You                      Your Partner

The total value    £                       £

**7** Do you or your partner receive the State Pension or any of the Benefits listed here?

If you do not receive the pension or a benefit, put **NIL** after the £.

**!** GUIDANCE

No       Yes → You                      Your Partner

State Pension	£ <input type="text"/> every <input type="text"/>	£ <input type="text"/> every <input type="text"/>
Child Benefit	£ <input type="text"/> every <input type="text"/>	£ <input type="text"/> every <input type="text"/>
Working Tax Credits and Child Tax credits	£ <input type="text"/> every <input type="text"/>	£ <input type="text"/> every <input type="text"/>
Universal Credit	£ <input type="text"/> every <input type="text"/>	£ <input type="text"/> every <input type="text"/>
Incapacity Benefit	£ <input type="text"/> every <input type="text"/>	£ <input type="text"/> every <input type="text"/>
Industrial Injuries Disablement Benefit	£ <input type="text"/> every <input type="text"/>	£ <input type="text"/> every <input type="text"/>
Contribution-based Job Seekers Allowance	£ <input type="text"/> every <input type="text"/>	£ <input type="text"/> every <input type="text"/>
Other Benefits (except Housing Benefit)	£ <input type="text"/> every <input type="text"/> The benefit: <input type="text"/>	£ <input type="text"/> every <input type="text"/> The benefit: <input type="text"/>

**8** When you answered question 7, did you say that you or your partner received child benefit?

No       Yes → **At their next birthday**, how many children will be aged:

1 year     2 to 4     5 to 7     8 to 10

11 to 12     13 to 15     16 to 18

**9** Do you or your partner receive a private pension, or a pension from an employer?

**!** EVIDENCE

No       Yes → You                      Your Partner

Total pension **before** tax    £  every                       £  every

**10** Do you or your partner receive maintenance payments for anyone in your household?

**!** EVIDENCE

No       Yes → You                      Your Partner

The total amount you each receive    £  every                       £  every

**11** Do you or your partner receive interest or income from any savings or other investment?

**!** GUIDANCE

**!** EVIDENCE

No       Yes → You                      Your Partner

The total amount you each receive from all investments    £  every                       £  every

12

Do you or your partner receive any income from the sources listed here?

<input type="checkbox"/> No	<input type="checkbox"/> Yes	→ You	Your Partner
	Student grant or loan	<input type="checkbox"/>	<input type="checkbox"/>
	Board or rent from a family lodger or tenant	<input type="checkbox"/>	<input type="checkbox"/>
	Rent from another property	<input type="checkbox"/>	<input type="checkbox"/>
	Financial support from anyone else or from someone who allows you to use assets or money	<input type="checkbox"/>	<input type="checkbox"/>
	Income from any other source which you have not stated in questions 2 to 11. Please explain	<input type="text"/>	<input type="text"/>
	<b>The total amount received from all sources in this question</b>	£ <input type="text"/> every	£ <input type="text"/> every

✓ one or more boxes

! EVIDENCE

! EVIDENCE

13

Do your answers to the previous questions tell us that you have no income from any of the sources which we have asked about?

No  Yes → How do you and your partner pay your bills and daily expenses?

! GUIDANCE

! CRM15C

### Your outgoings and your partner's outgoings

14

For the place where you usually live, do you or your partner pay:

Rent: Go to 15     Mortgage: Go to 15     Board and Lodgings: Go to 17

None of these: Go to 16

! GUIDANCE

15

What is the total amount that you and your partner, **together**, pay for the rent or mortgage, after taking away housing benefit?

£  every

! GUIDANCE

! EVIDENCE

16

For your usual home address, what is the total amount that you and your partner, **together**, pay for Council Tax?

£  every    Go to 18

! EVIDENCE

17

If you usually pay for Board and Lodgings:

How much do you and your partner, **together**, pay for the board and lodgings?

How much of the amount you pay for board and lodging is for food?

The name of the person who you pay for your board and lodgings

Question 17 continues →

! GUIDANCE

! EVIDENCE

£  every

£  every

Your relationship to the person who you pay

**18**

Do you or your partner pay childcare costs to a registered care provider for any children who live with you?

! GUIDANCE

No

Yes

→ The total amount which you and your partner, **together**, pay for child care.

! EVIDENCE

£  every

**19**

Do you or your partner pay maintenance to any ex-partners, or for any children who do not live with you or your partner?

! GUIDANCE

No

Yes

→ The total amount which you and your partner, **together**, pay for maintenance.

! EVIDENCE

£  every

**20**

Do you or your partner already pay any contributions towards civil or criminal legal aid?

! GUIDANCE

No

Yes

→ The total amount which you and your partner, **together**, pay towards legal aid.

£  every

Criminal case reference or Civil certificate number (or both)

**21**

In the last 2 years, have you or your partner paid income tax at the 40% rate?

! EVIDENCE

No

Yes

→  You

Your Partner

**22**

Are you charged with an indictable offence or an either way offence?

! GUIDANCE

No: Go to 30  Yes: Go to 23

### Your land and property, and that of your partner

**23**

Do you or your partner own or part-own land or property of any kind including **your own home**, in the United Kingdom or overseas?

! GUIDANCE

If you ✓ Yes, put NIL in a box if you or your partner do not own or part-own property or land.

No: Go to 26

Yes

→ You

Your Partner

You and Your Partner jointly

**1** How many pieces of land?

**2** How many properties, residential and commercial?

**24**

Does your answer to question 23 at **2**, include an address which is **not** the usual home address of you or your partner?

! GUIDANCE

Your 'usual home address' means an address at 2 or 13 on form CRM14.

No: Go to 25

Yes

→ The address, and the postcode if applicable.

! CRM15C

If there are other properties or pieces of land, give the addresses and postcodes, if applicable, on form CRM15C.

Postcode

25

! GUIDANCE

1 Do not include the percentage owned by a mortgage lender.

2 Do not include the share owned by a mortgage lender.

! GUIDANCE

! CRM15C If you have told us that there is more than one property which is a usual home address, or that there are other properties or pieces of land which you or your partner own or co-own, use form CRM15C to answer 1 to 5 for that land or property.

About land or a property that is a usual home address, or has an address which you gave at question 24

Your answers to 1 to 5 are for:
[ ] your usual home address
[ ] your partner's usual home address
[ ] an address at question 24

1 The percentage of the property or land which you and your partner own (see the side panel)
You [ ] per cent (%) Partner [ ] per cent (%)

2 Does anyone else own a share of this property or land (see the side panel)?
[ ] No [ ] Yes -> Their name(s) and relationship to you
[ ]

3 Is there a mortgage which has to be paid off?
[ ] No [ ] Yes -> Total amount owing
£ [ ]

4 What is the estimated market value of this property or land?
£ [ ]

5 Type of property
Residential: [ ] Terraced [ ] Bungalow [ ] Detached [ ] Semi-detached
[ ] Flat or Maisonette [ ] Other type of property -> Please explain:
[ ]

Number of bedrooms

[ ]

Commercial: What is the commercial property used for?
[ ]

Land: Size [ ] acres How is the land used?
[ ]

Your savings and investments and those of your partner

26

! GUIDANCE

! EVIDENCE

! CRM15C

Do you or your partner have any of these types of saving, in the United Kingdom or overseas?

If you ✓ Yes for any type of saving, give details about it in the table on the next page. Include empty or overdrawn accounts.
Bank accounts? [ ] No [ ] Yes
Building society accounts? [ ] No [ ] Yes
Cash ISAs? [ ] No [ ] Yes
National Savings or Post Office Accounts? [ ] No [ ] Yes
Any other cash investments? [ ] No [ ] Yes

Name of bank, building society or other holder of the savings	Sort code or Branch name	Account Number	Type of account	Balance	In whose name is the account?
				£ <input type="text"/>	<input type="checkbox"/> You <input type="checkbox"/> Your Partner <input type="checkbox"/> Joint Partner <input type="checkbox"/> Overdrawn <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
				£ <input type="text"/>	<input type="checkbox"/> You <input type="checkbox"/> Your Partner <input type="checkbox"/> Joint Partner <input type="checkbox"/> Overdrawn <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
				£ <input type="text"/>	<input type="checkbox"/> You <input type="checkbox"/> Your Partner <input type="checkbox"/> Joint Partner <input type="checkbox"/> Overdrawn <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Is the salary, wages or benefits of you or your partner paid to one of the accounts?

! GUIDANCE

No    Yes → Name of bank, building society or other holder of the savings

You

Partner

27

Do you or your partner have any Premium Savings Bonds?

! GUIDANCE

No    Yes → Holder Number   Holder Number

! EVIDENCE



! CRM15C

Total value of the Premium Savings Bonds   £

28

Do you or your partner have any National Savings Certificates?

! GUIDANCE

No    Yes → Customer (or Holder's) Number   Customer (or Holder's) Number

! EVIDENCE



! CRM15C

Certificate Number



Total value of the National Savings Certificates   £

29

Do you or your partner own any of these investments, in the United Kingdom or overseas?

! GUIDANCE

Stocks, including gilts and government bonds?    No    Yes

! EVIDENCE

Shares?    No    Yes

! CRM15C

Personal Equity Plans (PEPs)?    No    Yes

Share ISAs?    No    Yes

Unit Trusts?    No    Yes

Investment Bonds?    No    Yes

Other lump sum investments?    No    Yes

Describe each investment

Value

**30** Do you or your partner stand to benefit from a trust fund in the United Kingdom or overseas?

No  Yes → The amount held in the fund      The yearly dividend

£       £  a year

**31** Do you or your partner have any income, savings or assets which are under a restraint order or a freezing order?

No  Yes →  You  Your Partner

**32** When you answered question 22, did you answer Yes?

No  Yes → You may have to pay a contribution towards your legal aid.

**Evidence to support the information you have given**

**33** Has a court remanded you in custody?

No: Go to 35  Yes

**34** Will your case be dealt with in a magistrates' court?

No  Yes: Go to 36

**35** Checklist of the evidence you will provide  
**If your case will be heard in a magistrates' court, or it is a committal for sentence or appeal to the Crown Court, and you are on bail**  
 You must provide the evidence that you ✓ in the checklist, with this form: see the guidance about evidence.

**If your case will be heard in the Crown Court**  
 You must provide the evidence that you ✓ in the checklist, with this form or within 14 days of the date of your application: see the guidance about evidence.

✓ boxes to show the evidence that you will provide.

**Question 11 and Question 12:**  
 When you provide bank statements, provide statements for the last 3 months.

Question and evidence	You	Your Partner	Question and evidence	You	Your Partner
<b>2</b> Wage slips	<input type="checkbox"/>	<input type="checkbox"/>	<b>17</b> Board and lodgings if more than £500 a month	<input type="checkbox"/>	<input type="checkbox"/>
<b>4</b> P60 or tax calculation sheet (form SA302)	<input type="checkbox"/>	<input type="checkbox"/>	<b>18</b> Proof of childcare/	<input type="checkbox"/>	<input type="checkbox"/>
<b>5</b> Complete financial accounts	<input type="checkbox"/>	<input type="checkbox"/>	<b>19</b> maintenance costs	<input type="checkbox"/>	<input type="checkbox"/>
<b>6</b> P11D form (benefits in kind)	<input type="checkbox"/>	<input type="checkbox"/>	<b>21</b> P60 or tax calculation sheet (form SA302)	<input type="checkbox"/>	<input type="checkbox"/>
<b>9</b> Private pension documents	<input type="checkbox"/>	<input type="checkbox"/>	<b>26</b> As set out in the Guidance	<input type="checkbox"/>	<input type="checkbox"/>
<b>10</b> Maintenance payments documents	<input type="checkbox"/>	<input type="checkbox"/>	<b>27</b> Premium Savings Bonds or Bond Record (Summary)	<input type="checkbox"/>	<input type="checkbox"/>
<b>11</b> Bank statements	<input type="checkbox"/>	<input type="checkbox"/>	<b>28</b> National Savings Certificates or Passbook	<input type="checkbox"/>	<input type="checkbox"/>
<b>12</b> Rent from another property: bank statements	<input type="checkbox"/>	<input type="checkbox"/>	<b>29</b> As set out in the Guidance	<input type="checkbox"/>	<input type="checkbox"/>
Income from other sources: bank statements	<input type="checkbox"/>	<input type="checkbox"/>	<b>30</b> Original/Certified copy of trust document	<input type="checkbox"/>	<input type="checkbox"/>
<b>15</b> Rental, tenancy agreement or mortgage statement	<input type="checkbox"/>	<input type="checkbox"/>	<b>31</b> Restraint or Freezing Order	<input type="checkbox"/>	<input type="checkbox"/>
<b>16</b> Council Tax document	<input type="checkbox"/>	<input type="checkbox"/>			



**36**

Have you used form CRM15C when answering any of questions 2, 5, 13, 24, 25, 26, 28 or 29?

No

Yes → Please go to page 1 and ✓ the box under the title to confirm that you are providing form CRM15C.

**Declaration by your partner**

**37**

If your partner is not able to sign this declaration, you should have given the reason(s) at the end of question 39 on form CRM14.

**I declare that** this form and any form CRM15C is a true statement of all my financial circumstances to the best of my knowledge and belief. I agree to the Legal Aid Agency and HM Courts and Tribunals Service, or my partner's solicitor, checking the information I have given, with the Department for Work and Pensions, HM Revenue and Customs or other people and organisations. I authorise those people and organisations to provide the information for which the Legal Aid Agency, HM Courts and Tribunals Service or my partner's solicitor may ask.

**Personal data** I understand that the forms guidance which is described on page 1 of form CRM14, explains how the Legal Aid Agency, HM Courts and Tribunals Service and the Ministry of Justice will keep private and protect the personal data which I provide in this form and form CRM 15C. I understand that I may find in the guidance information about how my personal data may be used by these organisations and how I may obtain a copy of the information that the organisations hold about me.

I have read the **Notice of Fraud** at the end of question 38.

Signed

Date

Full name (in BLOCK LETTERS)

**Declaration by you**

**38**

When you read this declaration, please keep in mind that some parts of it may not apply to you because the declaration is designed to cover several types of court case.

**I declare that** this form and any form CRM15C is a true statement of my financial circumstances and those of my partner to the best of my knowledge and belief. I understand that this form must be fully completed before a Representation Order can be issued. I understand that if I tell you anything that is not true on this form or the documents which I send with it, or leave anything out:

- I may be prosecuted for fraud. I understand that if I am convicted, I may be sent to prison or pay a fine.
- My legal aid may be stopped and I may be asked to pay back my costs in full to the Legal Aid Agency.
- If my case is in the Crown Court, the Legal Aid Agency may change the amount of the contribution which I must pay.

**Personal data** I understand that the forms guidance which is described on page 1 of form CRM14, explains how the Legal Aid Agency, HM Courts and Tribunals Service and the Ministry of Justice will keep private and protect the personal data which I provide in this form and form CRM15C. I understand that I may find in the guidance information about how my personal data may be used by these organisations and how I may obtain a copy of the information that the organisations hold about me.

**Crown Court** I understand that in Crown Court proceedings the information I have given in this form will be used to determine whether I am eligible for legal aid and, if so, whether I am liable to contribute to the costs of my defence under an Income Contribution Order during my case, or if I am convicted, under a Final Contribution Order at the end of my case, or both. →

Capital means your savings, investments, or property.

It is important that you understand that by signing this declaration you agree to the Legal Aid Agency, the courts or your solicitor, contacting your partner to check the information you have given in this form, and in form CRM15C if you complete them.

Public representation means a barrister and solicitor who act for you.

I understand that if I am ordered to pay towards my legal aid under an Income Contribution Order, or if I am convicted and ordered to pay under a Final Contribution Order, but fail to pay as an Order instructs me, interest may be charged or enforcement proceedings may be brought against me, or both.

I understand that I may have to pay the costs of the enforcement proceedings in addition to the payments required under the Contribution Order, and that the enforcement proceedings could result in a charge being placed on my home.

**Evidence** I agree to provide, when asked, further details and evidence of my finances and my partner's, to the Legal Aid Agency, its agents, or HM Courts & Tribunals Service to help them decide whether an Order should be made and its terms.

**Changes** I agree to tell the Legal Aid Agency or HM Courts & Tribunals Service if my income or capital or those of my partner, change. These changes include the sale of property, change of address, change in employment and change in capital.

**Enquiries** I authorise such enquiries as are considered necessary to enable the Legal Aid Agency, its agents, HM Courts & Tribunals Service, or my solicitor to find out my income and capital, and those of my partner. 'This includes my consent for parties such as my bank, building society, the Department for Work and Pensions, the Driver and Vehicle Licensing Agency or HM Revenue and Customs to provide information to assist the Legal Aid Agency, it's agents or HM Courts & Tribunals Service with their enquiries.

I consent to the Legal Aid Agency or my solicitor contacting my partner for information and evidence about my partner's means. This includes circumstances where my partner is unable to sign or complete the form.

I understand that if the information which my partner provides is incorrect or if my partner refuses to provide information then: if my case is in the magistrates' court, my legal aid may be withdrawn or, if my case is in the Crown Court, I may be liable to sanctions. I understand that the sanctions may result in me paying towards the cost of my legal aid or, if I already pay, paying more towards the cost of my legal aid, or paying my legal aid costs in full.

**Ending legal aid** I understand that I must tell my solicitor and write to the court if I no longer want public representation. I understand that if I decline representation I may be liable for costs incurred to the date when my solicitor and the court receive my letter.

**Data sharing** I agree that, if I am convicted, the information in this form will be used by HMCTS or designated officer to determine the appropriate level of any financial penalty ordered against me, and for its collection and enforcement.

**Notice on fraud** If false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies to prevent fraud and money laundering.

Further details explaining how the information held by fraud prevention agencies may be used can be found in the 'Fair Processing Notice', available on the Legal Aid Agency website at: [www.justice.gov.uk/legal-aid/make-an-application](http://www.justice.gov.uk/legal-aid/make-an-application)

Signed

Date

Full name (in BLOCK LETTERS)

# LEGAL AID AGENCY

## PRIVACY NOTICE

### Purpose

This privacy notice sets out the standards that you can expect from the Legal Aid Agency (LAA) 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 LAA is an Executive Agency of the Ministry of Justice (MoJ). The MoJ is the data controller for the personal information we hold. The LAA 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 LAA 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 LAA 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 LAA 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 organisations such as: Credit reference agencies Equifax and TransUnion and our debt collection partners Advantis Credit Ltd;
- 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 Advantis Credit Ltd 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 Advantis Credit Ltd 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 LAA.

## **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.

## **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](mailto: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](http://www.ico.org.uk)