Criminal Legal Aid — Legal Aid Online Transfer Declaration

Use this form where you are applying for a transfer of summary, solemn or criminal appeals legal aid, or a grant of fixed fee Criminal ABWOR using Legal Aid Online. Remember that you are responsible for completing this form and should ensure all information required is provided, the declaration sections are signed, and that you hold a copy of the fully completed Declaration form on your file.

A. Key details

Solicitor's name:

LARN:

Applicant's full name:

PF Reference:

Reason for transfer (please give full explanation e.g details of solicitor-client relationship breakdown):

B. Applicant's declaration

➢ I want the solicitor named at Section A to act for me in this case.

➢ I ask you to transfer my legal aid certificate to that solicitor.

➢ I give my permission to SLAB to notify the details of this transfer request to the solicitor named in my legal aid certificate before any transfer, to allow SLAB to check the circumstances, before deciding whether to transfer legal aid.

➢ I confirm the information given by me in this application is correct.

➢ I confirm that I have read and agree that the reasons provided are my reasons for seeking a transfer of legal aid.

➢ If SLAB agrees to the transfer, I authorise and instruct the transfer to my new solicitor of all papers, documents and files which are held on my behalf in relation to this matter.

➢ I understand that the information I have provided on this form may be used by SLAB or other bodies responsible for auditing or administering public funds for the prevention and detection of fraud or abuse of legal aid.

Important information about your personal data

The Scottish Legal Aid Board (SLAB) is a data controller. The personal information provided by you will be used in accordance with the General Data Protection Regulation 2016 and for our functions under the Legal Aid (Scotland) Act 1986.

SLAB may receive information about you from certain third parties (for example, some government departments and agencies), or give information to them. However we will not pass on information about you unless the law allows or requires us to do so. We will retain the personal information we hold about you in accordance with the requirements of our retention schedule then destroy or delete it in a secure manner.

Under the General Data Protection Regulation 2016 you have the right to make a formal request in writing to see the personal information we hold about you, to inspect it and to have it corrected if it is wrong. In addition you may also have rights to have your data erased or have your data moved. You may be able to object to processing if you believe it to be unlawful and subject to lawful restrictions. Where SLAB are responsible for unlawfully processing or disclosing your personal data and it is likely to cause a high risk to your rights and freedoms we will make you aware of this. To request your personal data you should write to SLAB's Data Protection Officer. If you are unhappy with the response you get from the Data Protection Officer and wish to complain you should write to the Director of Corporate Services and Accounts.

Signature of applicant/representative…………………………………………………………….. Date…………………………………

C. Solicitor's declaration

➢ Any opinion expressed by me in the application represents my professional opinion.

➢ I certify that to the best of my knowledge and belief, the information given is correct. I consent to the disclosure of the application, associated documentation and client case file for quality assurance, including peer re- view, at any stage during or after the proceedings.

➢ I undertake to intimate a copy of this Transfer Declaration form to the solicitor previously instructed no later than the date of electronic submission of the transfer request to which this Declaration relates, and I declare that by making that submission to SLAB, I am certifying that I have so intimated, unless SLAB has already agreed with me, in writing, to dispense with the intimation requirement in this case.

Signature of solicitor……………………………….…..……………………………………… Date………………………………