

### **Criminal A&A/ABWOR declaration guidance**

This form should be used where advice and assistance is given on a matter of Scots Law. It should also be used for cases where you are providing a client with Advice By Way of Representation (ABWOR).

**Section A** - It is important to record the correct spelling of the applicant's forename and surname and the correct date of birth and NI number. Otherwise this could prevent us from obtaining a copy of the complaint through our Crown link in cases where we require one. For cases where the applicant is in receipt of a passport benefit, failure to provide an NI number or providing an incorrect one will prevent our automatic DWP link from confirming the passport benefit.

**Section B** - Details of the case should be entered in this section. For cases where a PF is required, it is important that the number is recorded correctly as this enables us to obtain a copy of the complaint using our Crown link.

**Section C** - Enter details of whether the applicant is currently living with a spouse/partner and how many dependents they have both living and not living with them. If the applicant does not reside with a spouse/partner you must advise whether that spouse/partner has a contrary interest. Details of all accounts held in the applicant's name must be recorded. This includes bank, building society, post office credit union and savings account.

**Section D** - Enter details of all capital/assets held by the applicant and/or their spouse/partner. Details of all capital should be obtained even if the applicant or spouse/partner is in receipt of benefits.

**Section E** - Enter details of any benefits received by the applicant and/or their spouse/partner. If the applicant or spouse/partner is in receipt of a passport benefit you should advise which benefit they are in receipt of and whose name the claim is in. Entering details of a passport benefit accurately may enable us to verify it using our automatic DWP link. If the applicant and spouse/partner are not in receipt of any income you must advise how they are supported financially.

**Section F** - Enter details of income from employment/self employment for the applicant and a spouse/partner and calculate any contribution due. The [A&A Keycard](#) contains a contribution table.

**Applicant's Declaration and Authority** - The applicant must read the declaration and authority and sign it.

**Solicitor's Declaration** - The solicitor must sign and date the declaration.