

Criminal Appeal (LAO/APP/2) declaration guidance

This form is to be used for making a criminal appeal application and can only be used for an appeal application where legal aid was not granted for the case in the first instance. If leave to appeal is required you can only apply for a full appeal certificate at the conclusion of the sift process after leave has been granted. You must include the necessary supporting documentation confirming leave to appeal has been granted.

Section A - It is important to record the correct spelling of the applicant's forename, surname, date of birth and NI number. For cases where an 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 - Enter details of whether there was a grant of Regulation 15 for this case. If there was, you must provide the legal aid reference number, the pf reference and the date it was granted. Enter the nature and extent of the appeal and the method of appeal. You must also provide details of the court at first instance. Please tick the box to confirm legal aid was not granted for the case in the first instance (or use LAO/APP/1 if it was).

Section C - We require up to date information regarding the applicant's circumstances. You must advise whether the applicant is currently living with a spouse/partner and how many dependents they currently have both living and not living with applicant. If the applicant does not reside with a spouse/partner you must advise whether that spouse/partner has a contrary interest. Failure to record information correctly can lead to an incorrect financial assessment.

Section D - Details of all accounts held in the applicant's name must be recorded. This includes bank, building society, post office, credit union and savings accounts.

Section E - Enter details of all capital/assets held by the applicant. All property owned (other than the main dwelling house) and all money in all accounts must be recorded. Any other significant capital asset must also be recorded.

Section F - Enter all income from all sources. You must record weekly amounts. If any income is received on a monthly basis, multiply the monthly net pay by 12 and divide by 52 to obtain an accurate weekly figure. Many benefits (non passport) and tax credits are paid 4 weekly. Checking the bank statement could confirm the frequency. If the applicant is not in receipt of any income you must provide details of how they are supported financially.

Section G - Weekly outgoings and who they are paid to must be recorded. Providing the name of the payee can help to identify payments on bank statements. If an outgoing is paid monthly multiply by 12 and divide by 52 to obtain an accurate weekly figure.

Section H - Enter any information that is relevant to the applicant's financial circumstances that you wish to be taken into account that cannot be entered in the above sections.

Applicant's Declaration and Authority - The applicant must read and sign.

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