

## **Criminal Summary Legal Aid declaration guidance**

This form should be used where an applicant has or is pleading not guilty to the charge(s) on a summary complaint. This declaration form can only be used for one case.

**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. A discrepancy could prevent us from obtaining a copy of the complaint through our Crown link. Also, 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** - You must provide the correct PF reference and court details for the case so that we can obtain a copy of the complaint through our automatic Crown link. The date the proceedings commenced and whether the Duty solicitor tendered the not guilty plea must also be recorded correctly. Incorrect answers can cause difficulties when submitting your account which may result in an incorrect payment.

**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 them. If the applicant does 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 assets must be recorded in this section.

**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 the 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.