Legal Aid Agency

# Criminal legal aid - Applicant's declaration for online submissions

**Use this form where you are making an application using LAA Online.**

## PLEASE NOTE

**Making a false declaration is an offence. If you are found doing so, you may be prosecuted, potentially leading to a fine and/or a prison sentence. The Legal Aid Agency has a zero tolerance approach to fraud and will look to prosecute where there is evidence of fraud.**

### Declaration by Applicant

USN: Full name: MR. SIMON PAUL CORDELL

National Insurance Number: JH653811D Date of birth: 26-01-1981

**I apply for** the right to representation for the purposes of criminal proceedings under the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

**I declare that my application will be made electronically by my legal representative.**

**I understand** that if I have declared anything that is not true, or left anything out that:

- 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 (LAA).
- If my case is in the Crown Court, the LAA may change the amount of the contribution which I must pay.

**I agree** to tell the LAA or HM Courts & Tribunals Service (HMCTS) **immediately** 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.

**Evidence** I agree to provide, when asked, further details and evidence of my finances and those of my partner, to the LAA, its agents, or HMCTS, to help them decide whether an Order should be made and its terms.

**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.

**I authorise** such enquiries as are considered necessary to enable the LAA, its agents, HMCTS, 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 LAA, its agents or HMCTS with their enquiries.

**I consent** to the LAA 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, or paying more towards my legal costs, or paying my legal aid costs in full.

**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.

**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 the 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 the enforcement proceedings could result in a charge being placed on my home.


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## Declaration by Applicant continued

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

Signed:  Dated: 23-09-2026

Full name (in block capitals): MR. SIMON PAUL CORDELL

## Declaration by your (the applicant's) partner:

I declare that the information included in this application is a true statement of all my financial circumstances to the best of my knowledge and belief. I agree to the LAA and HMCTS, 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 LAA, HMCTS or my partner's solicitor may ask.

I understand that this application will be made electronically by the legal representative.

I have read the **Fraud Notice**.

Signed: _____ Dated: _____

Full name (in block capitals): _____

If your partner has not signed the declaration, please explain why:

## Declaration by the legal representative:

I represent the applicant. I confirm that I am authorised to provide representation under a contract issued by the LAA ☐

I confirm that I have been instructed to provide representation by:

- ☐ a firm which holds a contract issued by the LAA
- ☐ a solicitor employed by the LAA in the Public Defender Service who is authorised to provide representation.

I confirm that I have gone through the questions on the Interests of Justice and financial assessment aspects of the application with the applicant.

I confirm that the applicant has not provided me with any information which contradicts the information provided in this declaration of financial circumstances and has given me no indication that information declared is incomplete or untrue.

Signed: _____

Full name (in block capitals): _____

Provider's LAA Account Number: _____

**Fraud Notice**

**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 website at:** www.justice.gov.uk/legal-aid/make-an-application


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# 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.

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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.

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## 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


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## 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

## 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


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