

RESTRICTED WHEN COMPLETE
SURREY POLICE

LEGAL AID, SENTENCING,
PUNISHMENT OF OFFENDERS ACT
2012



Request for information to apply for Legal Aid under the provisions of the Legal Aid, Sentencing, Punishment of Offenders Act 2012

This form is to be used **only** to apply for information in respect of intended applications for legal aid in cases to protect victims of domestic violence and/or child abuse
There is no fee for this service

Legal Basis of Request:

With effect from April 1st 2013 changes were made to the Legal Aid provision in England and Wales.

The key focus is on providing legal aid for those most vulnerable

What this form is for:

Legal aid has been removed from some private proceedings. However, an exemption has been made in 'private family law' proceedings or prospective proceedings for victims of **domestic violence, abused children** and/or **those at risk of abuse** by the other party. In such circumstances victims, those representing them or those acting on their behalf may complete this form to obtain evidence from the police to submit to the Legal Aid Agency. The applicant need only supply one piece of evidence in order to qualify, therefore, the Police will only provide one piece of evidence as a result of such an application being made. This application form will provide evidence of a caution in the past 2 years or proof of on-going proceedings.

Please note conviction evidence must be obtained from the courts

What this form is not for:

The scheme keeps legal aid for protective injunctions in domestic violence or child abuse cases such as a non-molestation order, an occupation order or a forced marriage protection order. **In such cases no evidence is required to access legal aid for these purposes** and this form is not to be used. **Victims should instead approach a legal aid solicitor to apply to the court for a protection injunction**

There is no change to 'public family law' cases where for example a Local Authority may be involved in care proceedings in respect of a child(ren). If this is applicable to your case then this form is not to be used

Legal Aid is no longer available in 'private family law' cases which cover matters arising from separation or divorce for example child contact, residency issues or division of assets). If this is applicable to your case then this form is not to be used

If you require evidence of a conviction then that must be obtained from the relevant court directly. If this is applicable to your case then this form is not to be used

Fee:

There is **no** fee payable for this service

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PART 1 – Details of person completing this application:

1.1	Full name	
1.2	Business name (if representing a party)	
1.3	Address	
1.4	Telephone number(s)	
1.5	Email address** (optional)	
1.6	Confirmation of email address	
1.7	Your reference (if applicable)	
1.8	Our reference (if known)	
1.9	Civil case number (or court reference)	
1.10	Name of court	
1.11	How would you like your disclosure to be delivered? Please select one option	
	Post	Email
	<p>**Email disclosures will be sent to the email address specified in Section 1**. Please be aware that whilst the email response will be sent from a secure network, unless you also have a secure email address, the delivery to your personal inbox is an insecure connection via the public internet. Surrey Police can therefore not accept responsibility for any loss or inappropriate access to the email once sent. It is also the responsibility of the applicant to ensure that the email address listed is accurate and legible.</p>	

PART 2 – My status in this application:

2.1	I am a private individual acting on my own behalf	
2.2	I represent a client(s)	
2.3	I am a private individual acting on behalf of another	
2.4	If you have ticked 2.3 please describe the reason why you are applying on their behalf and your relationship to the individual	

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PART 3 – Details of the parties involved:

3.1	I am the party listed (2.1)	
3.2	I represent the party (2.2 or 2.3)	
3.3	Party – Full name	
3.4	Date of birth	
3.5	Address <i>Home address of applying party</i>	
3.6	Previous address(es) in last 2 years (if known) <i>Previous home addresses of applying party</i>	
3.7	The other relevant party(ies) is/are <i>Please provide full names</i>	
3.8	Date of Birth	
3.9	Address (if known)	
3.10	Previous address(es) in last 2 years (if known)	

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PART 4 – Details of request:

4.1	Where known please provide any relevant police crime or incident reference numbers	
4.2	<p>Domestic Violence – I require evidence of a police caution for a domestic violence offence given to the other party for a crime against the individual listed in 3.3</p> <p>Please note – where available a copy of the Police caution will be supplied. Where not available other proof will be provided. Either response will include</p> <ul style="list-style-type: none"> - Name of the victim - Name of offender - The offence - Date of caution 	<i>Tick box as appropriate</i>
4.3	<p>Domestic Violence – I require evidence of on-going proceedings for a domestic violence offence against the individual listed in 3.3</p> <p>Please note – where available a copy of the Police charge sheet will be supplied. Where not available other proof will be provided. Either response will include</p> <ul style="list-style-type: none"> - Name of the victim - Name of offender - The offence - Date of caution 	<i>Tick box as appropriate</i>
4.4	<p>Abused children and/or those at risk of abuse – I require evidence of a police caution for a child abuse offence given to the other party listed in 3.7. Such a caution need not be in respect of the individual listed in 3.3</p> <p>Please note – where available a copy of the Police caution will be supplied. Where not available other proof will be provided. Either response will include</p> <ul style="list-style-type: none"> - Name of the victim - Name of offender - The offence - Date of caution 	<i>Tick box as appropriate</i>
4.5	<p>Abused children and/or those at risk of abuse – I require evidence of on-going proceedings for a child abuse offence against the party listed in 3.2. Such a charge need not be in respect of the individual listed in 3.3</p> <p>Please note – where available a copy of the Police charge sheet will be supplied. Where not available other proof will be provided. Either response will include</p> <ul style="list-style-type: none"> - Name of the victim - Name of offender - The offence - Date of caution 	<i>Tick box as appropriate</i>

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PART 5 – Address for response:

5.1	Tick the address to which the response should be sent	
5.2	Send response to address listed in 1.3	
5.3	Send response to address listed in 3.5	
5.4	Send response via email listed in 1.5	
5.5	Send response to name and address alongside to whom the response information should be sent on your behalf. In these circumstances documentary proof of name and address of the recipient on your behalf must also be provided with the application by way of a recent utility bill or similar with name and address. <i>Please list these details in the box adjacent</i>	

PART 6 – Checklist:

6.1 Complete if – Private individuals completing this application form

I	I am a private individual acting on behalf of myself and I submit this signed application and include supporting documentation:	
II	I am a private individual acting on behalf of another and I submit this signed application and include supporting documentation:	
III	A document proving my name (see 7a)	
IV	A document proving my date of birth (see 7a)	
VI	A document proving my current address (see 7a)	
VII	A document proving the name of the person on whose behalf I apply (see 7a)	
VIII	A document proving the date of birth of the person on whose behalf I apply (see 7a)	
IX	A document proving the address of the person on whose behalf I apply (see 7a)	
X	A document proving the name/address of the person nominated to receive the response listed in 5.4 (see 7a)	

6.2 Complete if – Legal representatives completing this form

I	I represent my client and have a legal status to do so.	
II	I have provided my clients name	
III	I have provided my clients date of birth	
IV	I have provided my clients current address	

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PART 7 – Guidance regarding suitable identification documents:

Litigants in person (private and unrepresented individuals who have not instructed a solicitor) must use the application form and include with it **copies** of two identification documents that prove the applicants name, date of birth and address.

If being completed by a third party or being sent to a third party then they too are required to provide identification

Please do not send original documents

Examples of identification accepted

- Copy of birth certificate (for name & date of birth)
- Copy of passport (for name and date of birth)
- Copy of driver's licence (for name, date of birth and current address)
- Copy of recent utility bill
- Copy of recent bank statement
- Copy of current Council Tax demand

Please note – 'Recent' in this situation means less than 6 months old and you are may edit out financial details listed within documentation, if you so choose, as this information is not required to complete/accept the application

Part 8 – Declaration and Undertakings:

8.1	I confirm that the personal data requested are necessary for the purpose described in this application and that failure to provide the data will, in my view, be likely to prejudice an application to the Legal Aid Agency.	
8.2	I undertake <ul style="list-style-type: none"> - To keep and data supplied secured - To use any data supplied only for the purposes described in the application - Not to supply to supply copies of the data to any other party except: <ul style="list-style-type: none"> ■ To a legal representative under my instruction or brief in this case ■ To an expert witness instructed by myself or the court in this case ■ To comply with a court order, under instruction of the court or in order to comply with existing legal rules for disclosure/discovery in relation to this case ■ With the explicit written consent of the Chief Constable of Surrey Police or his nominee 	
8.3	I accept that Surrey Police may on occasion refuse to provide information directly to the applicant, however, at their discretion supply directly to the court or relevant agency	
8.4	My signature adjacent indicates my acceptance 8.1, 8.2 and 8.3. I also understand that failure to comply may constitute a criminal offence under the Data Protection Act 1998	Sign:

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8.5	Print full name	
8.6	Date of application completion	

Part 9 – Once completed:

The completed form and supporting documents should be returned to Surrey Police using one of the following methods:

Post: Information Access Team, Surrey Police, PO BOX 101, Guildford, Surrey, GU19PE

In Person: to any Surrey Police Station (not Headquarters)

Enquiries to the Information Access Team can be made via the following methods

Telephone: 01483 630007 (Monday to Friday – 8am to 4pm)

Email: subjectaccess@surrey.pnn.police.uk

Post: Information Access Team, Surrey Police, PO BOX 101, Guildford, Surrey, GU19PE

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