



REQUEST FOR INFORMATION FOR LEGAL AID APPLICATION FORM

Request for Information to Apply for Legal Aid under the Provisions of the Legal Aid, Sentencing, Punishment of Offenders Act 2012

Police information will not be disclosed unless there are important considerations of public interest to justify departure from the general rule of confidentiality. These considerations include the protection of vulnerable members of society. The information below is provided on the strict understanding that such information is only for the use of the court and will be treated as confidential and will not be used for any other purpose.

SECTION 1 - GUIDANCE NOTES


This form is to be used to apply for information in respect of intended applications for Legal Aid in cases to protect victims of domestic and child abuse only.

Any conviction evidence should be obtained from the Courts – see the Government website for sample letters that can be used to obtain this information (search for ‘sample letters to get evidence of domestic violence-GOV.UK’)


With effect from 1st April 2013 changes were made to the Legal Aid provision in England and Wales under The Legal Aid, Sentencing, Punishment of Offenders Act 2012. The key focus is on providing legal aid for the most vulnerable

- The information supplied in this application will be used for the purpose of administering this request and to ensure the accuracy of police systems. When completed, please send to the below email address.
- Applications for parties residing in Wigan, Leigh, Oldham or Bury should be directed to Greater Manchester Police, Southport and St Helens are covered by Merseyside Police.
- It is essential that names are spelt correctly, dates of birth are provided, and all sections are completed. Should any of the required fields not be completed, thorough police checks cannot be conducted, which may result in vital information being missed. Incomplete forms will be returned and will not be processed until completed fully.
- The police cannot act on telephone calls and all requests for information must be submitted on this form and posted OR emailed, along with ID (only need to post Sections 1-5 of the form).
- If you require any additional or more detailed information than just confirmation of cautions/unspent convictions/police bail/ongoing domestic abuse/child abuse then you will need to apply for The Right of Access, please visit <http://www.lancashire.police.uk/about-us/accessing-information/data-protection-1998-subject-access.aspx> for more information regarding this process.

If you require additional advice about completing this form, please contact us using the below details

 01772 412696 / 412631

 civildisclosures@lancashire.police.uk

 Civil Disclosures
Legal Services
Lancashire Constabulary Headquarters
Saunders Lane
Hutton, Preston
PR4 5SB

SECTION 2 – CASE DETAILS

REQUESTOR DETAILS	
Name	
Company / Organisation name & address	
Your reference	
Direct telephone number	
Email address	
Email address the disclosure should be sent to (if different from above) ** disclosure will be sent via egress unless otherwise requested**	

SECTION 3 – REQUEST DETAILS

VICTIM	
First name(s)	
Surname	
Previous name(s) / alias names	
Date of birth	
Place of birth	
Current address (please state dates of residence)	
Previous address(es) (please state dates of residence)	

OFFENDER	
First name	
Surname	
Previous name(s) / alias names	
Date of birth	
Place of birth	
Current address (please state dates of residence)	
Previous address(es) (please state dates of residence)	

KEY ISSUES & SPECIFIC INFORMATION SOUGHT

Please provide any relevant incident dates/log numbers and the names of the individuals involved if their identity is relevant to the issues before the court. To ensure relevant disclosure is provided this information is essential.

We will only provide the following information:

For domestic violence

- Evidence that the other party has been arrested for a relevant domestic violence offence.
- Evidence of a police caution for a domestic violence offence given to the other party for a crime against the applicant.
- Confirmation of on-going proceedings for a domestic violence offence against the other party for a crime where the applicant is the victim (ongoing, means the offender has been charged).
- Evidence of a conviction for a domestic violence offence (**only if not provided by the court, please state whether this is required**).
- Evidence of police bail conditions being imposed on the other party where a domestic violence charge against the applicant is being considered.
- Evidence of a Domestic Violence Protection Notice (DVPN).

For child abuse

- A police caution for a child abuse offence given to the other party for a crime.
- On-going proceedings for a child abuse offence against the other party (ongoing means the offender has been charged).
- A conviction for a child abuse offence against the other party (**only if not provided by the court, please state whether this is required**).
- Evidence of police bail conditions imposed on the other party where a child abuse charge is being considered.

The following details will be confirmed by us in order to satisfy the requirements of the regulations:

- The name of the offender.
- The offence
- The name of the victim (other than in cases where the victim would not be identified e.g. sexual offences).
- The date of the caution, charge, conviction or issuing of bail.

SECTION 5 – VICTIM IDENTIFICATION

INDIVIDUALS MAKING THIS APPLICATION ON THEIR OWN BEHALF (LITIGANTS IN PERSON/INDIVIDUALS NOT LEGALLY REPRESENTED BY A SOLICITOR) MUST USE THIS APPLICATION FORM AND INCLUDE TWO IDENTIFICATION DOCUMENTS THAT PROVE YOUR NAME, DATE OF BIRTH AND CURRENT ADDRESS. PLEASE TICK THE SUPPLIED IDENTIFICATION FROM THE CHOICES BELOW:	
Passport	
Drivers licence	
Birth Certificate	
Bank statement	
Utility bill	

SECTION 6 – UNDERTAKING

I confirm that the personal data requested is necessary for the purposes described in this application form and failure to provide the data will, in my view, be likely to prejudice an application to the Legal Aid Agency.

I undertake that:

- 1) I will ensure that the materials are always kept under secure conditions and protected from unauthorised access.
- 2) To use any data supplied only for the purposes described in this application.
- 3) I will not release the materials or supply copies of the materials to any other person except:
 - a. A barrister/legal representative instructed by me
 - b. An expert witness instructed by myself or the court
 - c. By further order of a court or with the written consent of the Chief Constable's nominated officer or deputy

I accept that Lancashire Constabulary may, on occasion refuse to provide data to an applicant but may, at its own discretion, supply data directly to a relevant agency.

My signature below indicates my confirmation of the necessity of the requested data and my undertaking to comply with all the conditions for disclosure as above. I also understand that failure to comply with these undertakings may constitute a criminal offence under the Data Protection Act 2018.

Date: _____

Print Name: _____

Signature (typed/electronic signature accepted): _____