

YLAL Means Test Research - Submission Form

YLAL are conducting a research project to gather quantitative evidence on the way in which the legal aid means test operates in practice.

We are gathering data on new enquiries who failed the means test and the reasons for this, to feed into ongoing Ministry of Justice reviews into the current legal aid system.

For GDPR purposes (for us and your firm!) Please tell the new enquiry:

“Young Legal Aid Lawyers is researching who can’t access legal aid and why. Would you be happy for us anonymise your financial details and let them use it for their research? They won’t receive any of your personal information.”

* Required

Your details

1. Name

2. Job title

Mark only one oval.

- Solicitor
- Legal Executive
- Trainee Solicitor
- Paralegal
- Administrator
- Other: _____

3. Firm

4. Email address

5. Area of practice

The Application

6. Type of application

Mark only one oval.

- Civil *Skip to question 10.*
- Criminal (CRM14) *Skip to question 9.*
- Criminal (CRM15) *Skip to question 9.*
- CRM1&2 (Advice and Assistance) *Skip to question 7.*
- CRM1&3 (Advocacy Assistance) *Skip to question 8.*

CRM1&2 (Advice and Assistance Applications)

7. Type of CRM1&2 Application

Mark only one oval.

- Criminal investigations (including re-interview by police and interviews under SOCPA 2005)
- Advice on appeal to Crown Court
- Advice on appeal to Court of Appeal
- Advice on application to Criminal Cases Review Commission
- Prison law

Skip to question 13.

CRM1&3 (Advocacy Assistance Applications)

8. Type of proceedings

Mark only one oval.

- Variation of pre-charge bail conditions
- Warrant of further detention (pre-charge)
- Armed forces custody hearings
- Representation before governor or independent adjudicator
- Representation before Parole Board
- Representation at Category A reviews
- Representation at minimum tariff reviews
- Other: _____

Skip to question 13.

Criminal Legal Aid Applications

9. Which court is the case in?

Mark only one oval.

- Magistrates' Court
- Crown Court

Skip to question 13.

Civil Legal Aid Applications

10. Type of civil legal aid application *

Mark only one oval.

- Legal Help
- Investigative Help
- Legal Aid Certificate
- Exceptional Case Funding

11. Area of Law for Civil Legal Aid Application *

Mark only one oval.

- Actions against the Police / State
- Community Care
- Court of Protection
- Family
- Housing
- Immigration
- Mental health
- Public
- Prison law
- Other: _____

12. Specific Type of Proceeding *

Skip to question 13.

Income Assessment

13. Did the client fail the income element of the means test?

Mark only one oval.

- Yes
- No *Skip to question 22.*

Income Assessment continued

14. Client's income (£ per month)

15. Client's disposable income (as per LAA permitted deductions) (£ per month)

16. **Client's actual disposable income (£ per month)**

17. **Reason actual disposable income is different to LAA disposable income (e.g. rent or travel expenses are higher than permitted deduction)**

Contributions

18. **Were any contributions requested by LAA (£ per month)**

19. **If client cannot afford the contributions, why is this?**

Mark only one oval.

- Capital which cannot be realised (e.g without remortgaging property)
- Actual disposable income is less than LAA assessment of disposable income
- Client has been remanded in custody and is no longer earning wages
- Other: _____

Hardship Applications

Please only answer this question if it is a criminal legal aid application (CRM14&15). If it is not, please select N/A.

20. **Did you make a hardship application?**

Mark only one oval.

- Yes
- No
- N/A

21. **What did the LAA do?**

Mark only one oval.

- Grant legal aid without contributions
- Reduce the amount of the contributions payable
- Refuse the hardship application
- N/A
- Other: _____

Capital Assessment

22. Did the client fail the capital element of the means test?

Mark only one oval.

Yes

No *Skip to question 27.*

Capital Assessment Continued

23. Amount of capital (£)

24. What is the LAA permitted capital limit for this proceeding? (£)

25. Source of capital

Mark only one oval.

Savings

Home

Other real estate

Valuable property

26. If the client failed on the capital element, why is this? (e.g. more equity than permitted in property, but unable to remortgage)

What next?

27. What did the client do? *

Mark only one oval.

Get legal aid (with contributions, etc.)

Pay privately

Represent themselves

Not proceed with the matter

Use the duty solicitor

Other: _____

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