

1988 No. 215

LEGAL AID AND ADVICE**Legal Aid in Criminal Cases (Statement of Means) Rules
(Northern Ireland) 1988***Made* 8th June 1988*Coming into operation* 4th July 1988*To be laid before Parliament*

The Lord Chancellor, in exercise of the powers conferred by Article 36(3) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981(a) and now vested in him(b), and after consultation with the Lord Chief Justice, the Attorney General, the Crown Court Rules Committee, the County Court Rules Committee and the Magistrates' Courts Rules Committee and with the approval of the Treasury hereby makes the following Rules—

Citation and commencement

1. These rules may be cited as the Legal Aid in Criminal Cases (Statement of Means) Rules (Northern Ireland) 1988 and shall come into operation on 4th July 1988.

Revocation

2. The Legal Aid in Criminal Cases (Statement of Means) Rules (Northern Ireland) 1978(c) are hereby revoked.

Form of statement of means

3. The form set out in the schedule shall be the prescribed form for the purposes of Article 32(1) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (statement of means for purposes of legal aid in criminal proceedings).

Dated 8th June 1988

Mackay of Clashfern, C.

*Tony Durrant
David Lightbown*

We approve
Dated 13th June 1988

Two of the Lords Commissioners
of Her Majesty's Treasury

(a) S.I. 1981/228 (N.I. 8)
(b) S.I. 1982/159
(c) S.R. 1978 No. 200

Statement of Means of an Applicant for Legal Aid in a Criminal Case under Part III of the Legal Aid Advice and Assistance (Northern Ireland) Order 1981

If you wish to obtain legal aid in a criminal case you must first complete this form which will be used to determine whether you are entitled to legal aid.

Warning: IF, IN COMPLETING THIS STATEMENT, YOU KNOWINGLY MAKE ANY FALSE STATEMENT OR FALSE REPRESENTATION YOU WILL BE LIABLE TO PROSECUTION AND IF FOUND GUILTY COULD BE LIABLE TO A FINE OR, IMPRISONMENT FOR UP TO 3 MONTHS OR BOTH.

PLEASE COMPLETE IN BLOCK CAPITALS

- 1. Surname (Mr/Mrs/Miss/Ms)
2. Other names
3. (a) Date of Birth (b) National Insurance No. (if known)
4. Permanent address
5. If staying at temporary accommodation state address
6. Name and address of solicitor requested (if known)
7. State whether married/married, living apart/single/widowed/divorced (delete as appropriate)
8. Are you currently receiving— (a) Income support? (Yes/No) (b) Family credit? (Yes/No)

Note:

IF YOU ARE RECEIVING INCOME SUPPORT OR FAMILY CREDIT YOU NEED NOT ANSWER ANY FURTHER QUESTIONS ON THIS FROM. YOU MUST, HOWEVER, READ AND SIGN THE DECLARATION AT THE END

- 9. State occupation or profession
10. State whether you are employed/self-employed/unemployed (delete as appropriate)

11. If you are employed state

- (a) Whether full-time or part-time and
- (b) Name and address of your employer

(a) (b)

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12. What is your average weekly take-home pay? (i.e., earnings after deductions of Income Tax and National Insurance) £

13. If self-employed state annual net income £

14. Is your spouse employed? (Yes/No) or self-employed?

(Yes/No)

If either answer is Yes state his/her

(a) Occupation

(b) Name and address of employer

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(c) Approximate weekly earnings

15. Do you or your spouse have any other income? (e.g. interest from investments or rents received) (Yes/No)

If the answer is Yes give details and amounts (including names of banks, Building Societies, etc. from which interest is received, and state type of benefits, pensions, etc. received.)

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16. Do you or your spouse have any savings, money, property or other goods of value? (Yes/No)

If Yes give details

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17. Have you any dependants? (Yes/No)
If Yes give details (including names, ages and addresses if different from your own)

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18. State the amount you pay per week for:

- (a) Rent £
- (b) Rates £
- (c) Mortgage £
- (d) Board and lodging charge or contribution for keep £

19. Do you have any other exceptional expenses which you feel should be taken into account? (Yes/No)
If the answer is Yes give details

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20. If you are under 18 state the name and address of your parent or guardian

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21. If you are under 18 are your parents willing to assist you financially in providing you with legal aid? (Yes/No)

DECLARATION

I declare that to the best of my knowledge and belief the above particulars are true and I understand that the Court may require the Department of Health and Social Services to enquire into my means before or after the granting of a Criminal Aid Certificate.

Signature

Date

EXPLANATORY NOTE

(This note is not part of the rules.)

These rules revoke the Legal Aid in Criminal Cases (Statement of Means) Rules (Northern Ireland) 1978 and provide a new form of statement of means which an applicant for free legal aid under Part III of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 may be required to furnish under Article 32 of that Order.