

## Key Changes made to the Criminal Legal Aid Manual

Effective from 1<sup>st</sup> February 2012

A new version of the Criminal Legal Aid Manual (CLAM) will come into effect from 1<sup>st</sup> February 2012 to coincide with and support the release of the Version 9 forms. For the first time ever, the CLAM will only be made available electronically and must be downloaded from the LSC website at:

[www.legalservices.gov.uk/criminal/criminal\\_legal\\_aid\\_eligibility.asp](http://www.legalservices.gov.uk/criminal/criminal_legal_aid_eligibility.asp)

The following sets out the key areas that have been updated in the February 2012 edition of the manual (please note this is not an exhaustive list).

### Changes affecting both Courts and Solicitor / Applicants

Key Change	Section of the CLAM
Updated "Forms Guidance" to support the introduction of the V9 CDS14 and 15 application forms.	Annex 19
Solicitors must submit Hardship Review applications to the magistrates' Court and Court should refer copies of the original application to the National Courts Team.	Section 22
Clarification on what the Crown Court can still grant representation orders for and proceedings where CCMT does not apply	Section 1.8.3 & 1.8.4
Examples provided on the type and dating of Representation Orders for Either Way cases committed for trial.	Section 4.3.1
Examples provided on the appropriate time period of Income and Capital evidence.	Section 17.1.4
Table confirming funding for Proceeds of Crime matters.	Annex 22
Evidencing a 'Change in Financial Circumstances' for Crown Court cases	Section 21
New section confirming how to consider applicants who have been made bankrupt	Section 16.3
Updated State Benefit rates applicable from 6 <sup>th</sup> April 2012	Annex 5

## **Changes affecting both Courts only**

<b>Key Change</b>	<b>Section of the CLAM</b>
How to process applications with multiple offences, including where offences are added during existing proceedings.	Section 4.4.2
What to do where multiple solicitors apply for legal aid for the same defendant / case.	Section 12.3
Outcome of Legal Aid application is found to be wrong – what should Courts do.	Section 21.4
Re-referring applications to National Courts Team at Committal	Section 8.5
Processing 'Nil Income' cases	Section 16.1
Employed Applicants: a. Calculating 'Year to Date' income.  b. Calculating income where for applicants on Statutory Sick Pay or Maternity Pay	Section 19