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About this leaflet

This leaflet explains how the Legal Services Commission may ensure that it assesses eligibility for legal aid using accurate financial information.

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 tel: 020 7783 7000

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To order copies of LSC leaflets contact the LSC Leafletline:
LSCleaflets@ecgroup.co.uk
 tel: 0845 3000 343
 fax: 020 8867 3225

The Legal Services Commission produces the following leaflets:

A Step-by-Step Guide to Legal Aid

A Practical Guide to Criminal Defence Services

Criminal Defence Services at the Police Station and in Court

Paying for your Legal Aid

Complaints

Representations

Special Investigations Unit

Access to Information



Special Investigations Unit

How the Legal Services Commission checks financial eligibility for civil funding

legal services
 COMMISSION



legal services
 COMMISSION

Introduction

The Legal Services Commission (LSC) applies two tests to all applications for public legal aid funding:

- the legal merits test
- the financial eligibility test.

If there are doubts about whether you are financially eligible for civil funding, the LSC has the power to investigate. The regional office that is handling your case will refer it to the Special Investigations Unit (SIU).

Why are cases referred to SIU?

We investigate cases involving complex financial affairs that may require special consideration. For example, where you (or your partner):

- have assets overseas
- have assets or income apparently owned by others
- have a wealthy lifestyle or assets such as an expensive car, house or jewellery
- have an interest in a business with substantial assets, or have multiple business interests
- have other complex personal financial affairs, which may include personal insolvency, or having assets subject to a Mareva injunction or an asset freezing order. (A Mareva injunction or an asset-freezing order is “an order preventing the disposal of assets by a person or persons pending the resolution of legal proceedings”.)

- are pursuing or being pursued for legal claims of significant value
- are thought to have significant income or assets
- have rearranged your financial affairs so that you now apparently qualify for public funding
- are involved in a high-profile case or one with press or public interest.

Cases may be referred to SIU when you first apply or at any time while you are receiving legal aid funding.

What does SIU do?

We will seek to clarify your income and capital so that the LSC can apply the financial eligibility test fairly.

To do this, we will investigate your income and capital assets and where these have come from. We may seek new information, or verify existing information given on the application form by contacting you or third parties (such as banks, building societies, the benefits agency, HM Revenue and Customs, Companies House, or the Land Registry). We ask for documentary evidence to accompany responses to our questions and don't rely on 'face-value' answers.

How long will an investigation take?

An investigation may mean the LSC takes longer to decide or verify financial eligibility.

The more complex the circumstances, the more detailed the investigation will be. Information we get in response to our initial questions may raise further issues. So we are likely to ask more questions as the investigation goes on.

To reduce delays it is important that you give answers as quickly as possible, and certainly within the time limits we state.

What happens after an investigation?

On completing the investigation, we will make recommendations to the regional office. The regional office will then contact you about your financial eligibility for public funding.

Complaints

To report any concerns about how we have handled an investigation, please write to the SIU Manager at the address given below. To complain about the regional office or any other part of the LSC, see the LSC leaflet 'Complaints'. It is available from the LSC website or from the leaflet line and all details are given on the back of this leaflet.

Special Investigations Unit

Legal Services Commission
11th Floor
Exchange Tower
2 Harbour Exchange Square
London E14 9GE

Tel: 020 7718 8023
Fax: 020 7718 8021

Useful contacts

LSC contacts:

Central Customer Services Unit

11th Floor
Legal Services Commission
Exchange Tower
2 Harbour Exchange Square
London E14 9GE

Tel: 020 7718 8025
Fax: 020 7718 8026

NORTH WEST REGION

Liverpool Office
2nd Floor Cavern Court
8 Mathew Street
Liverpool L2 6RE
Tel: 0151 242 5200
Fax: 0151 242 5394

Manchester Office
2nd Floor, Lee House
90 Great Bridgewater Street
Manchester M1 5JW
Tel: 0161 244 5000
Fax: 0161 244 5196

Chester Processing Centre
2nd Floor
Pepper House
Pepper Row
Chester CH1 1DW
Tel: 01244 404 500
Fax: 01244 404 691

NORTH EAST REGION

Newcastle Office
2-8 Star House
Fenkle Street
Newcastle-upon-Tyne NE1 5RU
Tel: 0191 244 5800
Fax: 0191 244 5998

Leeds Office
Harcourt House
Chancellor Court
21 The Calls
Leeds LS2 7EH
Tel: 0113 390 7300
Fax: 0113 390 7484

MIDLANDS REGION

Nottingham Office
1st Floor
Fothergill House
16 King Street
Nottingham NG1 2AS
Tel: 01159 084 200
Fax: 01159 084 397

Birmingham Office
Centre City Podium
5 Hill Street
Birmingham B5 4UD
Tel: 0121 665 4700
Fax: 0121 665 4899

Cambridge Office
62-68 Hills Road
Cambridge CB2 1LA
Tel: 01223 417 800
Fax: 01223 417 982

WALES

Cardiff Office
Marland House
Central Square
Cardiff CF10 1PF
Tel: 0845 608 7070
Fax: 02920 647 173

Welsh language service line:
0845 609 9989

SOUTH & WEST REGION

Bristol Office
33-35 Queen Square
Bristol BS1 4LU
Tel: 0117 302 3000
Fax: 0117 302 3198

LONDON & SOUTH EAST REGION

London Office
12th Floor
Legal Services Commission
Exchange Tower
2 Harbour Exchange Sq
London E14 9GE
Tel: 0845 602 1400

Brighton Office
3rd/4th Floor Invicta House
Trafalgar Place, Cheapside
Brighton BN1 4FR
Tel: 01273 878 800
Fax: 01273 878 991

OTHER USEFUL CONTACTS:

Community Legal Service Advice provides free information, help and advice direct to the public on a range of common legal issues.

Call 0845 345 4 345

Click www.communitylegaladvice.org.uk