

Crime news: indictable application guidance and sending fees

News story

We have amended the Criminal Legal Aid Manual guidance to help providers instructed on or immediately before the day of a sending hearing.



New guidance is now available on submitting indictable applications for representation orders when it is impossible to get information at very short notice.

In response to provider feedback, it means that we are making a very limited exception to the usual application process.

How will it work?

The new arrangements will help providers instructed on or immediately before the day of the sending hearing.

This is because it may not be possible to get the necessary information to fully complete the form.

An example would be if your client is produced from overnight police custody and does not know their National Insurance number.

In these very limited circumstances, you should still submit the application before or on the day of the sending hearing. You should include:

- all the information you can provide
- explanation of what is missing
- steps being taken to obtain missing information

We will return the application as usual, but when you resubmit you can request that we backdate the representation order. You will need to explain why you believe we should.

This slight change to the backdating arrangements will only apply to those cases where your client passes the means test in the magistrates' court.

We will be unable to backdate Crown Court only representation orders.

Where can I find out more?

For full guidance including how to bypass validation in the eForm see section 3.4.2 of the Criminal Legal Aid Manual.

Further information

[Criminal Legal Aid Manual page](#)

Published 18 November 2021