



Craig Whittaker MP

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Criminal Legal Aid Remuneration: EDM 1111

Thank you for contacting me about criminal legal aid remuneration.

As a Government Whip, I do not, by convention, sign any Early Day Motions, as doing so is likely to breach the Ministerial Code's rules on collective responsibility.

The work done by the criminal Bar is a fundamental part of our justice system. It is criminal barristers, advocates, and duty solicitors who work hard every day to make sure that people get the justice they deserve.

I am aware of the concerns about the justice system, and I take these very seriously. The Government must be committed to ensuring that there is efficient and effective support for those who go through our court system. I want people to have every confidence in every part of the justice system, and that system must support victims and ensures a smooth and efficient process for litigants, and a legal profession that is enticing at every level for those who want to work within it.

On the specific issue of the Advocates' Graduated Fee Scheme, the scheme was put together in close co-operation with the Bar leadership. The scheme does not bring in a cut; at the very least, it is cost neutral, but it is more likely to give rise to an increase in expenditure, given that built into the calculations is a £9 million risk of such an increase. Overall, the scheme is more advantageous to the Bar than the one it replaces, particularly for those at the junior end. Finally, a clear commitment was given at the time the scheme came in that it would be reviewed in 18 to 24 months, as soon as the data becomes available to do so. I welcome the fact that the Government has said that if, in the course of that review, legitimate concerns are raised about the system and a good case is made for investment, it will look at those proposals.

I welcome the decision of the Criminal Bar Association to suspend the escalation of their action, which would have seriously affected victims, witnesses and all court users. The original scheme was designed with significant input from the Bar. The Government has listened carefully to the concerns the bar have since raised and will continue to work closely together moving forwards.

Thank you again for taking the time to contact me.

Kind regards,

Craig Whittaker MP