



21 August 2020

Dear Young Legal Aid Lawyers,

CONSULTATION RESPONSE: CRIMINAL LEGAL AID REVIEW

Criminal solicitors and barristers play a crucial role in upholding the rule of law, and I particularly value the huge contribution that criminal legal aid lawyers make to our society. I would like to extend my personal thanks to you for your role in representing criminal legal aid solicitors in the work of the Criminal Legal Aid Review. Today, I am announcing our response to the consultation we conducted between 28 February 2020 and 17 June 2020 on the Accelerated Areas of the Review.

Having carefully considered consultees' responses, I have decided to proceed with the proposals as set out at consultation, except for how litigators are paid for work on sending cases to the Crown Court. For the proposal, having considered the responses, in particular the Law Society's response, I recognise that the amount of work done equates to more than 2 hours on average. As such, we will now remunerate for the equivalent of 4 hours work done at magistrate's court hourly rates. This represents an estimated £6 million in additional funding per annum.

The accelerated areas represent quick wins where we can inject an additional £36 million to £51 million per year into criminal legal aid, but I recognise that there is much more to be done. Many consultation responses highlighted concerns about the sustainability of the professions, especially in light of Covid-19 which has led to a fall in cases coming before the courts. In light of the situation we now find ourselves in, I remain convinced that our original aims were the right ones. Fundamentally, we want to ensure that the market can: meet demand now and into the future, provide an effective and efficient service that ensures value for money for the taxpayer, and continues to provide defendants with high-quality advice from a diverse range of practitioners.

I have decided that the next phase of the Review should involve an independently-led review that will be ambitious and far reaching in scope, assessing the criminal legal aid system in its entirety, and aiming to improve transparency, efficiency, sustainability and outcomes in the legal aid market. Planning is in progress and I plan to launch it as soon as possible after Parliament returns.

I'm grateful for your cooperation with the work being done across the Ministry of Justice to ensure the legal profession can continue to offer their important services to defendants. This cooperation is going to be essential as we set up the independent review, and I look forward to continuing to work closely with you as this work progresses.

Yours sincerely

RT HON ROBERT BUCKLAND QC MP