



YOUNG LEGAL AID LAWYERS (YLAL)

Statement on the Criminal Bar Association vote to take action

“A career at the criminal bar is becoming financially unsustainable” – YLAL member¹

YLAL fully supports the Criminal Bar Association’s (CBA) decision to take action in relation to pay for defence and prosecution counsel.

An overwhelming number of CBA members voted for action, with 94% and 95% for defence and prosecution schemes respectively².

We stand shoulder to shoulder with our members, friends and colleagues who are taking part.

Our position is clear: the criminal justice system is on its deathbed due to chronic underfunding and drastic legal aid cuts.

We have said it time and time again – there is a problem with recruitment, retention and long-term sustainability in the criminal justice system.

As noted in our [social mobility report published last year](#), financial insecurity and poor working conditions have created a serious problem at the criminal Bar:

“People’s quality of life is very bad – stress and overwork are a real problem.”

“Unfortunately, I no longer work in legal aid. The junior criminal bar became too much; the financial anxiety was overwhelming. Working ten-hour days when you didn’t know if you were going to be paid or not became too much.”

YLAL, along with many other representative bodies including the CBA and the Law Society, have been working closely with the Ministry of Justice over the last few months on a review of criminal defence legal aid fees. We are there to make sure your

¹ Response from YLAL member to our call for evidence on the AGFS consultation 2018

² 93.86% on Advocates’ Graduated Fee Scheme (AGFS) and 94.90% on prosecution fees

voices are heard, loud and clear. The voices most likely to be eclipsed and those most likely to be impacted.

Engagement with the Ministry of Justice is crucial, but we cannot deny the underlying frustration felt at the junior end of the criminal Bar.

On 1 July 2019 criminal barristers will 'walk-out' and from that day onward will return to 'no returns'.

In light of this action we call on Chambers and the CBA to consider the short-term financial impact of the action which will hit junior members of the criminal Bar hardest. Many YLAL members rely on returned briefs to make a living, as it is often their best paid work. A policy of no returns from 1 July 2019 will mean that our members will take a serious financial hit.

It is essential that chambers and the CBA step up and protect the most junior members of the criminal Bar. We call on chambers to create fighting funds to support their most junior criminal practitioners. It would be devastating if the short-term financial consequences of taking this much needed action forced out junior members of the criminal Bar.

But we reiterate the overwhelming feeling from our members: ***We cannot afford not to act.***