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9th
July 2005

Thank you for your letter of 7 July.

Lord Carter will undertake the review promised in Ian Magee's letter of 24 June 2004, as part of a wide-ranging review of legal aid procurement. I hope that was clear from the terms of reference and from my letter to you of 5 July. That review meets the commitment to a review made last summer and of course includes the rates paid for 1-10 day graduated fee cases, about which your members have expressed concern. I share your view that the current funding regime is not working well for all.

As you know there are wider funding issues at stake here. Those issues are relevant to all legal professions and other stakeholders. That is why I asked Lord Carter to undertake a wide ranging review of legal aid procurement and why I included in his terms of reference the review of very high cost criminal cases and graduated fees, including 1-10 day cases. Indeed the concerns of those in the Junior Bar who depend on shorter cases can only be addressed effectively in this wider context.

It would be wrong for me, as I am sure you would agree, to intervene in any way that would prejudice Lord Carter's independent review. It is in all our interests that Lord Carter can conduct his review freely and that the DCA, the CPS, the Bar and the Law Society should be as fully supportive as possible.

Lord Carter has now started work on his review, and I know you have already met him. I have no doubt he will seek, and consider carefully, the Bar's views on the specific issue of 1-10 day rates as part of the wider issues he is studying. I would strongly urge the Bar to engage with Lord Carter positively in the interests of all its members.

LORD FALCONER OF THOROTON