



Mark Fenhalls QC
Chair, Bar Council
By email

MoJ ref: ADR95916

7 April 2022

Dear Mark,

CRIMINAL LEGAL AID

Thank you for your letter of 5 April about the proposed increase in fees payable under the Advocates Graduated Fee Scheme that is currently subject to public consultation.

As you noted, paragraph 147 of the CLAIR consultation document states that the Government is proposing a 15% increase to all AGFS fees. Table 4 of the Impact Assessment has a footnote that says the baseline figures include VAT. This does **not** mean that VAT would be deducted from the 15%. I can confirm that the proposed increase is indeed 15% on all the fees advocates will receive, plus VAT. The 15% increase is applied to overall AGFS expenditure and the rounded total is £30m, including VAT.

I agree that Table 4 in the Impact Assessment refers to "Additional Fee expenditure", i.e. the 15% increase in all fees and VAT.

I am happy for you to publish this letter in order to clarify the proposed increase that is currently subject to consultation.

Yours sincerely,

JAMES CARTLIDGE MP