



**THE CHAIRMAN
TIMOTHY DUTTON QC**

To: Heads of Chambers
Senior Clerks and Practice Managers
Circuit Leaders

7th February 2008

Dear Colleague,

VHCCs

Many of you will now have seen the LSC's latest Press Release and letters (dated 6th February and available on their website at:
<https://consult.legalservices.gov.uk/inovem/consult.ti/CarterVHCC/listdocuments>)

I have also received a detailed letter from the Lord Chancellor, Jack Straw, and a reply is in preparation. I have been consulting the CBA, and Circuit Leaders.

The documents clearly need careful consideration by every practitioner considering their position in regard to VHCC cases and many of you will want to know how the Bar Council intends to respond to the new round of documents and in what time frame.

The LSC has set an impossibly tight time scale and we are working as hard as possible to act in and to protect the profession's proper interests. This has included taking Leading Counsel's advice as a matter of urgency. The time scale we are working to hereon is as follows:

- 7th Feb (today) a letter will go from the Bar Council seeking clarification and explanations from the LSC in relation to the new and substantial contractual documentation sent out yesterday with a request for a sensible extension of time to respond to the contract pending such information. The LSC's deadline is current next Tuesday 12th February;
- 4.00pm Tuesday 12th February. LSC's (current) deadline for the Bar Council to respond on the contractual documentation;
- 4.00pm on 18th February 2007 deadline set by the Lord Chancellor for a response on the draft amended funding Order. We have a team working on this;
- Monday 11th February 2007: the Bar Council will respond to the LSC's letters and press releases and the Lord Chancellor's letter to me and will write to the profession;

THE BAR COUNCIL

www.barcouncil.org.uk

- Wednesday 27th February 2008 – deadline set for barristers to sign the new contracts

Let me be absolutely clear, yet again, that the decision of whether or not to sign the new contract remains a personal one for every practitioner. In our letters the Bar Council will be responding fully to the latest round of letters from the LSC, correcting some of the various factual inaccuracies that we believe are contained in their letter and press releases. The response requires careful consideration and, due to the volume of material produced by the LSC and the importance that we are assigning to this, we are taking care to respond as quickly as is possible but without sacrificing either accuracy nor the interests of the profession.

We are in a consultation process (albeit a **very** truncated one). Our advice is that you await further information and my reply to the letters from the LSC and the Lord Chancellor so that as the 27th February approaches you can make a fully informed decision. The letter to the profession on Monday 11th February will apprise practitioners of the latest developments. I am sure you will agree that this short delay is necessary to ensure that the Bar is given sufficient information before making any decision.

Yours ever
Tom Sutton.

