I was not a part of the committee which assisted in the design of the new fee scheme. I am not a CBA Officer or executive committee member. I do not hold any position on my Circuit. And no, I am not the Secret Barrister.

Now as well as reading like a deeply unimpressive negative version of a CV, the point is that I am not invested in the vote regarding the MoJ's proposals, save the investment of facing another twenty years of earning my living doing this job. The fact that I am not the Secret Barrister also means that I do not have the additional income of the royalty cheques from a top ten best seller to help me pay my way. It is criminal barristering and criminal barristering alone which pays the bills. Which is why I am anxious that we get this decision right.

Because I do not fill my time by contributing to legal society by being on committees, I spend a lot of time on social media. And it strikes me that there has been a lot on social media about the current proposal which is just wrong.

***This 1% increase is just another cut when inflation is 2.5%!!!***

It perhaps goes without saying that it is less of a cut than inflation alone but that's not the point. The point is that it is not just 1% being added to fee levels as of April next year. That misunderstands the proposal. There is an additional 1% but that is on top of new money from outside the AGFS budget that has been used to work out the figures in the new scheme.

***I have seen the figures from someone who has lost 30% as a result of these fees....***

The document that has been circulating around indicates 5 out of 9 cases that make up the figures relied upon were 10,000 PPE cases. It may well be that many people have a practice which mirrors this profile. There are also many people who do not. It does not represent that the new scheme post 1/4 means a 30% cut on all fees. And the information provided in that document is the unaltered fee scheme. There is new money to ameliorate these reductions. But that does not mean the new money is to reflect an acceptance that there are cuts to the overall budget. These paper heavy junior cases were cut to rob Petra to pay Paula. Now Petra is getting some or all of her money back

***The first increase isn't new money, this scheme represents massive cuts, so giving 5% back doesn't replace the 30% I have lost.***

There are a range of fees under the new scheme which suffer swingeing cuts. But there are also plenty of fees, generally speaking either in the work of the more junior barrister, certain sex cases or Silks, where there have been significant fee increases. What you do not tend to find is barristers who take to Twitter to publish a range of cases which have seen a fee increase under the new scheme.

***No one ever takes the first offer....***

I could see that there may be some logic in that if this was the first offer. But it plainly is not. The MoJ did not call the CBA up out of the blue and say "here it is, take it or leave it". This has been the culmination of weeks of work. But the other thing is, in this context, plenty of people do take the first offer. The context being a negotiation about rates of remuneration. So, once the Trade Union activists have negotiated and negotiated they will take the package they have negotiated to their members. And, often, the members will vote on that offer and accept it. The Trade Union negotiators have not spent all that time eating sandwiches and staring at the management. They have been negotiating. Offer and counter offer. That is what has happened here. It definitely is not the first offer. There is a risk it is the last offer.

***This offer (whether it be 1% or 2% or 5%) is derisory and an insult...***

I have previously used the fact that we have had a real term cut year in and year out for 20 years in my argument as to why we are right to take action. I did not for one minute think I was going to get it all back in one go. Or ever. I have bemoaned the fact that we have been cut and cut again. But I do not think we can now win fights we lost twenty years ago, fifteen years ago or five years ago. In relation to public sector remuneration, this increased offer is not derisory. We should be very wary about framing it so. And particularly when our colleagues in the solicitor profession have just suffered another cut.

I will not just criticise what I see as "myths" that have built up around the negotiations and the proposal but I will deal with the positive case as to why I will vote "yes". Before I do, however, I make it crystal clear that what matters is not the figure of £12 million or 6.6% or 1%. It is what we can see we are getting paid for the case. And whether that is enough we cannot say until we see the new figures in the boxes. And if they are not right, I will be the first to say we reject them.

I vote "yes" because I believe this is the best we are going to achieve at this moment. I was very vocal about the fact we should not have accepted the deal offered by the MoJ when we first operated a "no returns" policy four years ago. I foresaw that this would lead to all sorts of problems. I thought this was the only way we could get more. I was wrong. I did not listen to the people in the room. They were right.

That does not mean I have blind faith. But it did teach me a lesson. In this instance Angela Rafferty QC and the CBA have been canny enough to call for action when others were saying we should just adopt the new scheme. They were canny enough to know that they needed militant action to achieve a result. They knew what it took to get new money when everyone else was saying there was no money. They have also been astute enough to gather together this particularly argumentative group of wigged cats and herd a significant enough number of us in the right direction. They have called for staged action and have added to that a bit of political fancy footwork. All of that has shown good judgement and astute tactics. And now ARQC tells us they have achieved all they can. Against that backdrop do we bet against that judgement? I don't. Because that is a bet which, if we lose, we lose heavily.

That is not just a call to listen to your elders. That is not just me tamely following what the Silks tell us. It is me trusting the judgement of someone that has proven themselves to be on the deserving of that trust. I am not following instinct. I am following the evidence.

The proposal reflects the best that can be achieved for the whole of the Bar, doing justice between competing interests of practice type, specialisms, level of call and geographical area. There will still be fee anomalies. They happen under any scheme which pays for anything other than each hour reasonably worked, they happen under the scheme with the PPE proxy. With the new scheme we have certainty of the level of fee when the invitation to the digital system lands. If you decide the fee is not adequate, do not take the case.

If we had been told twelve months ago that we were going to be paid more for sentences, that we were gong to get a refresher for our second daily attendance and that refreshers did not halve after 40 days, we would have been pretty pleased. If we were also told that the overall budget available was going up, we would have been over the moon. If we were told that we were going to get our first ever planned increase, we would have thrown a street party in the Temple. There would not have been action. There would not have been a poll. The fact that the money for most of that was coming from within the scheme itself, that the money was being taken from other cases to fund the improvements, caused us to have to take action. We have to cease the action for now to assess whether that has been put right satisfactorily. We have missed out on the street party by the method of how we got here, but we are not at a wake.

The one thing which shines out from this is that we have a change in the direction of travel. I have been a barrister for 25 years. I have been working, campaigning and fighting for adequate remuneration for the last 15 years. Never have we ever got even close to a rise in remuneration. And now we have. That is not derisory. That is a victory. It does not give us everything, far from it. But it is a victory the likes of which we have never ever seen before. It is unique. Now we should not take any old offer, but before we reject an offer as derisory we have to set it in that context. It is only derisory if we let it be the only positive for the next 20 years. Each time we have fought, we have won. So we come back again, a year from now, and we negotiate with the might of action at our elbows. We are not going to get the last 20 years back in one go, nor are we going to sit back and say that 1% will do for the next 20.

I say to you all now that you should only vote for future candidates for the role of vice-chair and then chair of the CBA if they include a manifesto pledge to negotiate a rise in fees in their two year tenure, to be backed up with action in the event of refusal by the Government. The rise should become the norm, not the exception. To achieve that the Government have to fear our collective power, with no evidence of its failure. Accepting the proposal is not a failure.

As soon as this action is over we should turn our attention to prosecution fees. We should begin a real, proactive plan for the whole of the criminal justice system. Accepting the proposal allows us the time to do this and do this properly.

And I stress again. If the figures in the boxes of this revised scheme turn out to be wrong, if we do not see the improvements that need to be made, then the Government already know our answer - if the figures are not right, we have the appetite for the fight.