**THE CRIMINAL LEGAL AID REVIEW**

Legal professionals are the cornerstone of our court system, often going above and beyond the call of duty to ensure justice for victims, witnesses and defendants.

We know, however, that there are concerns within the profession, not least from some members of the Criminal Bar who feel overworked, underpaid and disenfranchised.

This has not fallen on deaf ears, and we agree that now is the right time to think more widely about the future of criminal legal aid – particularly in light of the wider reforms that are transforming the operation of our criminal justice system.

That is why, at the end of last year, we announced a comprehensive review of criminal legal aid. This review will consider criminal legal aid throughout the life cycle of a case, from pre-charge advice at the police station through to litigation and advocacy services in the Crown Court.

The review is wide-ranging, but we are committed to delivering a final report by the end of summer 2020 and will share our emerging findings as we move forwards.

We have already made considerable progress since the review began in January, establishing a cross-agency Criminal Legal Aid Review Programme Board to oversee its delivery. Chaired by the Director of Access to Justice at the MoJ, the Board comprises members from across MoJ policy, the Legal Aid Agency (LAA), Her Majesty’s Courts and Tribunals Service (HMCTS), the Home Office, and the Attorney General’s Office.

This cross-agency approach will ensure we are looking holistically at the criminal justice system and making the right decisions within that context. It will ensure any changes we make are consistent with and, where appropriate, support wider criminal justice system reforms – not least the Attorney General’s review of disclosure and the modernisation work being undertaken by HMCTS, the Home Office, and the police.

We also want to ensure the views of all practitioners are taken into account, and have established a Panel of representatives from across the legal professions – including the CBA, the Bar Council, the Young Barristers’ Committee (YBC), the Law Society, and the Young Legal Aid Lawyers (YLAL) – to advise the board.

Both the Board and the Panel have met for the first time, agreeing, amongst other things, the outcomes we should be seeking to achieve through the review. We published these outcomes [on GOV.UK](https://www.gov.uk/guidance/criminal-legal-aid-review) and they reflect some of the most pressing concerns we have heard about the current system.

We are also hearing from defence barristers, and have established an Engagement Working Group, which contains defence practitioners within its membership. This group is considering how best to ensure the views of the wider legal professions are taken on board as part of the review process. We have already established initial plans for wider engagement going forward.

We recognise that there are continuing concerns about the AGFS and that some practitioners strongly believe that improvements are needed before the review reports back. We also recognise that there is scope to further improve the criminal legal aid system in an evolving and modernising justice landscape.

If we are to succeed in designing a system that delivers access to justice for users, pays practitioners fairly for the work they do, supports a sustainable, efficient, and flexible criminal legal aid market, and aligns with wider justice reforms, the government and the legal professions must work together to develop the strongest evidence base possible.

When looking at future reforms and spending public money, we need to ensure the underpinning evidence is as robust and wide-ranging as possible. This work will require us to think beyond “quick fixes”. It will require time and effort to ensure we get this process right.

This is why we have already started to work with the legal professions to gather, build, provide and share qualitative and quantitative evidence that goes far beyond the billing data we currently use. Through a newly established Data Working Group, academics from the Bar Council and Law Society, as well as representatives from the wider professional bodies, are working with us to oversee the data collection and analytical approaches that are critical to ensuring we can build a robust case for change.

Working closely with the Bar Circuit Leaders and the Law Society, the MoJ will be delivering a series of regional engagement events in the coming weeks and months. These events will provide legal professionals with an opportunity to learn more about the review, feed into the process, and make sure their voices are heard. Further details of these events will be published shortly, and we would encourage everyone with a vested interest to take part. Alongside these events, MoJ officials will be undertaking a defence practitioner shadowing exercise to really understand the day to day experience.

We are grateful for the work of those involved so far and would encourage all of you to come forward and share your views on how, working together, we can deliver a sustainable and effective system. If you would like to share your thoughts with the team, you can contact us at CriminalLegalAidReview@justice.gov.uk.

**THE MOJ CRIMINAL LEGAL AID REVIEW TEAM**