



Caroline Goodwin QC
Trinity Chambers, The Custom House
Quayside, Newcastle upon Tyne
NE1 3DE

MoJ ref: 77821

26 May 2020

Dear Caroline,

**THE INFRASTRUCTURE OF THE CRIMINAL BAR OF ENGLAND AND WALES IS AT IMMEDIATE
MORTAL RISK**

Thank you for your letter of 1 May. First and foremost, I would like to extend my heartfelt gratitude to your members – particularly those working hard to provide essential legal aid services. As a former criminal barrister, I care deeply about the legal aid profession, who are an essential part of providing access to justice now and in the future.

Thank you for the constructive way in which you engage with officials and the valuable insight you continue to provide into the challenges facing the profession and in support of our recovery work - it is greatly appreciated. We have developed our response to the pandemic in collaboration with the judiciary to prioritise cases and review procedures to support access to justice during this emergency period. Our priorities are to use video and audio technology in hearings in as much as it is possible and to operate a network of consolidated courts to ensure all sites are safe, secure, clean and will allow for social distancing. I'm grateful to you and others at the Criminal Bar Association for representing the Criminal Bar's views on these issues at the Legal Practitioner and Jury Trial Restart Working Groups, among others. I hope that the announcement on jury trials restarting as of 18th May and the cases that have since been heard will begin to address some of the issues your members have been faced with.

You'll already be aware that at the beginning of this month we altered the legal aid regulations so that practitioners are now able to claim hardship payments from the Legal Aid Agency for £450 worth of work done instead of £5,000, and from 1 month after instruction (as opposed to 6 months). This change will specifically ensure that junior barristers are able to manage their cashflow – and I would encourage the Criminal Bar Association to ensure that your members make the most of this change, which could bring forward £37m in AGFS funding to help advocates manage their funds in the short term. The Legal Aid Agency have also halted debt collection.

We are conscious, however, that with current lockdown and social-distancing measures in place volumes of work will have significantly decreased for legal aid barristers. HM Treasury have announced a number of schemes to support people during this time. I recognise that you will still have concerns, particularly for those members of the Bar who are ineligible for Self-Employed Income Support Scheme (SEISS) – thank you for working with us to help us understand what impact this might have on them, as you know we are continuing to look at this issue alongside business rates relief. In the meantime, I would encourage

eligible chambers to take up the Coronavirus Business Interruption Loan or a 'Bounce Back' Loan. I am also greatly appreciative of the hardship funds created by the Inns of Court which will assist with supporting junior barristers during the crisis.

I appreciate that in some of the situations you highlight, we may need to go further and we will continue to work with you keep these under review. Thank you for your recommendations. I understand that you recently met with Minister Chalk to discuss these – the take-up of our hardship measures so far and the resumption of the Criminal Legal Aid Review. I look forward to hearing the outcome of further discussions with my officials.

Yours ever

A handwritten signature in black ink that reads "Robert Buckland". The script is cursive and fluid, with the first letters of each word being capitalized and prominent.

RT HON ROBERT BUCKLAND QC MP