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Wednesday 26 April 2023

Rt Hon. Alex Chalk KC MP
Lord Chancellor and Secretary of State for Justice
Ministry of Justice
102 Petty France
London
SW1H 9AJ

Dear Lord Chancellor,

Congratulations on your appointment as Lord Chancellor and Secretary of State for Justice.

I am writing to request a meeting to discuss the outstanding and delayed implementation of three parts of the deal, offered by the Ministry of Justice, and accepted by a 57% majority in a ballot on 10 October 2022, specifically:

- relating to special preparation and wasted preparation.
- Spring review/further increase to section 28 payments and application to each hearing.
- ongoing lack of a Chair for the Criminal Legal Aid Advisory Board and lack of clear timetable for medium and long-term reform of legal aid.

The Lord Chancellor and Secretary of State at the time of negotiations and subsequent deal was Brandon Lewis CBE MP.

The subsequent Lord Chancellor, Dominic Raab MP committed to honouring the deal.

I attach a letter that I wrote to him on 15 March 2023, when it was apparent that the last part of the deal would not be implemented.

There has been a flight from criminal practice caused by poor remuneration under the Advocates Graduated Fee Scheme (AGFS), working conditions and the ongoing absence of clear medium and long-term reform.

It now is a frequent occurrence that trials are adjourned due to lack of barristers to defend or prosecute.

Sadly, the criminal justice system remains in a crisis, although criminal law barristers are working very hard, both prosecuting and defending, in difficult and stressful conditions.

I also have welcomed the constructive engagement with both your predecessors during my time as Chair of the Criminal Bar Association.

I appreciate that there will be many demands on your time.

However, in light of the issues that are building over the deal and the importance of restoring trust, I hope that my request for a meeting is received with some urgency.

I look forward to hearing from you.

All best wishes in your new posts.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Kirsty Brimelow', with a long, sweeping flourish extending to the right.

Kirsty Brimelow KC

Chair of the Criminal Bar Association