We do not accept that the current proposals for the payment of prosecution fees represent fair remuneration for the work involved in such cases.

The current graduated fee scheme has been subject to cuts that reduced the fees to a barely acceptable level. These were cuts that were imposed on a scheme that had reduced in value in real terms as it had not been adjusted to take into account inflation since its inception and had not been raised to the same level as the first Carter scheme. We believe that the first Carter scheme represented appropriate levels of remuneration in most instances. The CPS has consistently failed to match these levels. We continued to act in such cases out of a sense of professionalism. However the reductions that are now to be imposed upon us make such work economically unviable.

Whilst we acknowledge that the Bar Council has been involved in discussions with the CPS over the design of this fee scheme we do not accept that this fee scheme is given any credence by this involvement. The detail of the negotiations were kept confidential until after the scheme was devised, thereby severely limiting the input from the Bar as a whole. There was thereafter a limited consultation period that necessarily only allowed for some amendments being made to the scheme rather than allowing the rank and file of the Bar a real opportunity to influence the shape of the scheme. We are disappointed that these proposals were made known the Bar as a whole many weeks after the Bar had engaged with the CPS in the Advocate Panel scheme. Many may have made different decisions about their application had they known the extent of these cuts.

We call upon the CPS not to implement the current proposals. We do not accept that the page count should be removed from the calculation. We believe that the current proposals represent a reduction in fees paid for serious cases that will lead to experienced and able practitioners having to stop conducting such cases. The removal of page counts, the reduction in fees paid where cases plead late and the alteration of uplifts in cases involving more than one defendant impact most upon cases that are sensitive, complex and serious. We reject the contention that money has been re-distributed within the scheme. The cases at the lower end of the scale that have had fees enhanced are the cases that are rarely briefed out to Counsel and therefore this argument is disingenuous.

We believe that the current proposals will only serve to limit the ability and experience of the advocates who will prosecute such cases. The CPS should ensure that such cases are prosecuted in court by the very best. Anything less than this reduces the public confidence in the CPS and diminishes the administration of justice. The CPS should not be a second rate service. Whilst we acknowledge the economic realities we feel that the reductions already imposed and the failure to raise the level of remuneration previously reflect an adequate saving from the fees paid for the provision of advocacy services. The provision of advocacy in the Crown Court is at the very forefront of the prosecution of crime. Such damaging cuts should not be imposed on frontline services.

NAME	SIGNATURE	CHAMBERS	CPS LEVEL