



**CHAIR OF CRIMINAL BAR ASSOCIATION:  
THE CRIMINAL JUSTICE SYSTEM IS AT RISK**

Max Hill QC, Chairman of the Criminal Bar Association (CBA), which represents criminal barristers in England and Wales, will tonight warn the Government that the criminal justice system is at risk because barristers' role within it is becoming increasingly less viable.

The results of a survey of CBA members show high levels of disaffection at the criminal Bar. The majority of respondents had experienced delays in payment from the Legal Services Commission and 89% would be willing to take direct lawful action, such as refusal to attend court.

Speaking at the CBA's Annual Dinner at Middle Temple Hall, to an audience including the Lord Chief Justice of England and Wales, he will say:

"Who are the guardians of the public interest, the gatekeepers for access to justice and the protectors of the rights of the individual in British society? Politicians like to think it is they who stand for Joe Public, and they who hold greedy lawyers to account. But that is not the truth now, if it ever was before.

"[...] We at the criminal Bar uphold the public interest in access to justice and the maintenance of a proper criminal justice system, whilst it is the Government who are obsessed by money.

"[...] I came into this job, when elected as Vice Chairman two years ago, knowing it would not be easy. I knew that, against a background of financial recession, the new Government would implement the three-year plan for defence fee cuts announced in the dying days of the old Government. I knew that the current administration was set on carving up the publicly-funded legal landscape [...].

"But I did not know that there would be such heartache, depression and personal bankruptcy caused by the wanton failure of central Government to shore up the Legal Services Commission in such a way that they might pay us in reasonable time for concluded cases.

"I did not know that criminal barristers would email, ring or meet me to tell how they couldn't pay their tax in January, because the earnings-basis assessment for tax produced a payable sum which exceeded last year's profit, and which far outweighed the actual payments received in the current year, because the LSC was keeping them waiting month after month. Neither did I know that the tale would be just as bad on the prosecution side.

"[...] Our campaign to ensure that wealthy defendants with frozen assets need not and should not be a drain on the legal aid fund has continued throughout the year. [...] So when Government says that we lawyers just want more money from them, our answer is we want less, in the sense that we should take these high value cases out of legal aid altogether. It makes sense, and the country should be made to understand what the Government continues to resist.

"In these and other areas, the time has come to bypass our political masters. If they won't listen to us, let us go to the public, because that is where governments are vulnerable. Our causes are just.

"In all things, I say we should do what we do so well in court already, every day. Fight without fear or favour."

**ENDS**

**Notes to editors:**

1. Max Hill QC was Called to the Bar in 1987, taking silk in 2008. He was appointed a Recorder in 2004. From his chambers at 18 Red Lion Court, Max prosecutes and defends high profile terrorism and murder cases, including representing the Metropolitan Police in the Coroner's Inquests into the London bombings of 7 July 2005 and prosecuting the successful second prosecution for the killing of Damilola Taylor.
2. For further information, please contact the [Bar Council Press Office](#) on 020 7222 2525.
3. The [Criminal Bar Association](#) exists to represent the views of the practising members of the criminal Bar in England and Wales.