

Dan Bunting

My Lords, Ladies and Gentlemen,

I didn't join the criminal bar to make money, which is just as well. I didn't however come to work for free, and I'm sure that I'm not alone in that.

We all know the problems, but the problem is that this job has stopped being fun.

Last Wednesday I was sitting in the robing room, waiting for a trial to start, when I got an email from the Bank saying my £4,000 overdraft limit had been hit and, if I wanted to pay my Chambers rent, I would have to transfer some money in.

I was then in the slightly awkward position of having to ask my other half, a trainee social worker, to lend me some money for a few days.

I'm not generally in the habit of reading EU Directives, but I did find myself wishing that the Government would hurry up and make sure that the LAA (as it's now known) complies "Directive 2011/7/EU on Combating Late Payment in Commercial Transactions". Starting with the three grand I'm still owed for a trial three years ago, to the fact that the LAA seems to be constitutionally mandated to refuse to pay a bill in full, or in time.

The conversations around me last week were all in the same vein. The woman who, after 15 years, is leaving the Bar to look after her two children because the money she can earn as a barrister cannot cover her childcare costs. The senior clerk who had to leave his desk to go to the train station and pay the fare of a junior tenant because her credit card was declined and her bank account was empty. [And the barrister of five years call who is having an effectively indefinite career break to look after the children as his wife, a nurse, earns more than he does.] The junior tenant who is working part-time in the evenings and weekends, just to make ends meet.

Why does it sometimes seem that the job has lost its lustre? We “must promote and protect fearlessly and by all proper and lawful means the lay client's best interests”. That is something we all do, something we all do well, and something that we all take pride in doing well. No-one is asking for a Bentley, but it is harder to stand up to the CPS, to the state, even to a difficult judge, when you are worried how you can pay the bills and whether you will even have a job in a years time.

I don't want to be the eeyore voice of doom, but it is important that we all understand what is happening to the bar, to the rank and file. The cuts that have been imposed in the last few years are not a question of trimming the fat, but cutting too close to the bone to comfort. We cannot take a further 20% reduction. The Bar has done excellent work in the last thirty years in throwing open the doors of the Inns to those who have the talent, regardless of

their background. The message from the Government is that the legal profession is open to all, provided your trust fund is big enough.

Listening in the robing room, you could be forgiven for thinking that at times this job sounds less like a noble profession, and more like the conversation you would hear from a group of call centre employees with zero hour contracts and a precarious working existence. We often joke that a hearing, or sometimes a whole case, pays less than the minimum wage, but that is sadly the truth. And as a joke, it's not funny. Most Judges, but sadly not all, understand that when that is the case motivation may be a problem.

I'm just over 10 years call. Many people at my level thought that by now we would be 'sorted'. We had made our way into a profession and had hoped that after, 5, 10 or 15 years, we would have been settled in it. Some have bought houses or started a family. I am sure that I am not the only person in this hall who has yet to pay off their students loan and still carrying debts from university. The only consolation being because I graduated at the turn of the millennium I left university with far less debt than those who are currently studying.

But whatever our personal circumstances, we are all finding our position very dicey indeed. And a worried lawyer is not a good lawyer. Reading the consultation paper makes for bleak reading indeed. Whilst Mr Grayling is fighting for a headline, we are fighting for our professional existence.

No-one owes me a living, I understand that. We all understand that, but we're not asking for that, all we're asking for is the chance to make a living doing the job that we love.