

CBA Rally 16.11.13 – Chairman’s Address

David Cameron told journalists he wanted to see a Britain where “no matter where you come from, what God you worship, the colour of your skin, what community you belong to, people should be able to get to the top in the media, JUDICIARY, armed services and politics.”

Well Mr. Cameron for social mobility at the Bar if the cuts come - only the rich and middle class need apply.

Chambers with these cuts will not be able to afford to provide pupilages.

The Criminal Bar will become a plaything for the wealthy as it used to be.

Those leaving university will come out with £27k gone on fees, plus £15000, for the Bar Course, joining an Inn, living at £10,000 per year = £72,000 in debt before they come to the bar. Who will come to the criminal Bar, when they will earn in a fortnight what a commercial lawyer earns in an hour.

Women on maternity leave are beginning not to return. I led someone two years ago, she said she will not come back.

Those particularly from deprived ethnic backgrounds will see again a profession not for them.

Judges will be selected from traditional wealthy, public school ,Oxbridge background. We will reverse all of the strides we have made.

A profession where as the Attorney says, no one of excellence will come. Who will prosecute the peadophiles, murderers, rapists ?

This message will resonate with the public, hence the poster outside.

Trials are already collapsing due to being prosecuted by lawyers punching above their weight

The Lord Chancellor is turning the criminal justice system into a wasteland

We went to the movies last Sunday to see the film "Gravity" starring Sandra Bullock and George Clooney.

She was in most of the shots which was fair enough as the film was a load of Bullocks.

As the name implies it's about spacemen wandering around rather aimlessly in space spending a good deal of time floating upside down.

Our World has been turned upside down

We have spent our professional lives playing more than our part in trying to ensure that justice is done. Doing our best with diligence and integrity.

We have spent our lives delivering justice. Turn it upside down.

Don't apologise. We also deserve Justice.

There is only one place in the world where a group face 30% cuts. I learned on Radio 4 It is the garbage collectors of Madrid. They have been out on strike for a week, but as rats are sharing paella in the restaurants, the public there support the garbage collectors. To cut someone's fees is outrageous. To do it by 30% means they think we are suckers.

The main focus of this campaign, because that is what it is and has to be, is to prevent the destruction of our profession and by our profession I mean the Criminal Bar whom I was elected to represent and also to ensure a system of criminal justice is maintained of which we can be proud.

To achieve this we need unity with solicitors. Now I know the Law Society would like to drive a wedge between us and of course we realize their executive have their own problems, but the CLSA and the LCCA and hundreds of solicitors firms have never been closer.

At this moment fees are at the fore of this campaign and of course So far as fees are concerned we have a complete coincidence of interest. I am sure that if we all stand firm we can achieve what we want, which is no to cuts.

Since “Not a penny more”, I have been morphed into a tank commander, a star wars alien Yoda and on the poster where I was supposed to be Lord Kitchener saying “your profession needs you” I actually seemed to end up as the sailor from The Village People!

People of course say we won't beat the government on this. I don't agree. The reason is that THEY have shown us the right way to do it. THEY have turned me into Joan of Arc – now there's a challenge for the person doing the graphics for my Monday Message. Instead of hearing voices of the Saints, I have heard voices from the Minister himself.

“I will cut the rates in this order. First I will cut VHCC's by 30 % “ The voice said.

Then that is what we will oppose first with all our determination and there is no reason why we would not defeat these cuts. The advice for which we have all been clamouring and about which I urged patience will be in on the 21st or 22nd November. I spoke to Ian Mills QC. There is

no issue but that the government will be terminating the contracts and it will be for us to decide whether we wish to renew them at lower rates. What a preposterous idea that anyone would want to work at those rates.

But the government want us to as to , as do our regulators.

It's an exaggeration that our relations with the BSB are a tragedy, but they are unhappy, to say the least. The BSB created an unacceptable form of regulation. We sought advice on QASA and question its legality . They seek to recover all their costs against us if we lose.

The idea that they will do anything other than put hurdles in our way and try and thwart us at every turn would be for us to show naivety to a horrifying degree

They both will do all they can to frustrate us. The government rely on our giving way. If we do we are lost. If solicitors pick up the slack we are lost.

So let us be "bloody bold and resolute" and for once let no , mean no '

Then again as I slept in my hay loft the voice of Mr. Grayling appeared to me saying " after VHCC's come AGFs "

Well I said to our Lord “we will say no to them with the same ferocity.” After VHCCs you should have the message. But in case you don’t we will refuse to do those cases as well.

They are making our professional lives untenable. We will make their system unworkable.

Let me update you on the realities on the ground that have been happening.

I am going to refer to 5 meetings I have had.

I am so sorry to personalize this, but I am convinced that during the day members of the Ministry of Justice stand on plinths in Covent Garden painted from head to foot in silver or gold pretending they are statues of George Washington or a Roman Centurion. They train not to respond.

The sad reality is that in the three meetings we’ve had with the Minister of Justice and now the legal aid minister, none of them have said a thing. They have each insisted they are listening. That said it would be remarkable if they weren’t, considering I was sitting 4 foot away and shouting at them.

Let me take the meeting with the Legal aid minister last week. His message was that silks are earning 6 figure sums , so that is ok to cut them.

In fact that is not ok. Why should someone work for 25 years in crime, so he better off than a Junior, earn in a week, what a commercial silk can earn in an hour.

He said nothing about the Juniors other than they must take their cuts as well and he accused us of “ seeming to forget that this is tax payers money.” But he was confident that in the “long term there was a sustainable legal profession “.

The responses were from Alex Carlile, the Lib Dem peer, Maura McGowan and me. We said:

- i. There was no prospect of sustaining a legal profession of any quality.
- ii. We are also tax payers.
- iii. Tax payers also have jobs. Try cutting their wages by 30%
- iv. You have not listened to 16000 responses to the first consultation, you won't listen to 2000 from the second and I'm sure you wont listen to Alex, Maura and I , so what are we to do? But be assured we won't work at these rates.

His response was to climb back onto his plinth and pretend he was Elvis.

It has been the same with the Lord Chancellor.

He tells us the bar is too big – I reply, even if true that is wholly irrelevant to cuts. They pay by the case, not the barrister. Size is not everything. He thinks he has done us a favour by dropping PCT we assure him he has not.

Let us face the facts 20 members of the Bar , the representatives of 5000 members of one of the greatest British institutions have been to see him and he has no interest in what we have to say.

I simply cannot understand why

- when we have taken the correct figures to him
- When we say we will provide savings by cutting the inefficiencies in the system

He doesn't bite our hands off. Instead he climbs onto his plinth covered in gold, our gold and pretends he is Sir Thomas More.

WHY SHOULD HE LISTEN.

1. I said I was going to refer to 5 meetings. The other 2 are with the LCJ and the Common Sarjeant. The

Judges are concerned with falling standards. The LCJ asked how we see the future.

People will not come into the profession or stay at the profession if they are getting little more than a minimum wage.

2. The Attorney General was asked whether he expected people of excellence to come to the Criminal Bar. The answer he said is no. What a shameful admission.

WHAT SHOULD WE DO?

WE DEVISE OUR STRATEGY TO THE SITUATION THAT CONFRONTS US.

WE EXPECT THE WORST AND PLAN FOR IT.

WE MAINTAIN COMPLETE UNITY.

WE DO NOT ABUSE EACH OTHER OR PERSONALISE OR DEMONISE ON SOCIAL NETWORKS.

I will not call the Lord Chancellor a liar as I would not like him to call me fat. Albeit that would be untrue.

WE DO NOT RE-ENTER CONTRACTS AT REDUCED RATES.

WE DO NOT ACCEPT NEW AGFs WHEN THEY COME AT NEW RATES.

THIS RALLY HAS SENT A MESSAGE TO THE GOVT AS HAVE THE EARLY INDICATIONS TO THE COURTS OF CASES FAILING.

WHAT IS NEXT IN OUR ARSENAL IS THE POTENTIAL FOR A DAY OF ACTION AND MY OWN VIEW IS THAT THAT IS COMING SOON TO A COURT NEAR YOU.

I HAVE NO DOUBT AT ALL WE CAN WIN THIS FIGHT.

I BELIEVE WE SHOULD BRING THE SYSTEM TO A HALT RATHER THAN ACCEPT THESE RATES.

TWO LEADERS OF THE CBA AND ONE GREAT RABBI HAVE
SAID :

- A. Do right, fear no one.
- B. Cuts – Not a penny more
- C. If I am not for myself then who is for me.
- D. If not now when.