



This is the response of the Bar Council and the Criminal Bar Association to the Legal Services Commission Consultation Paper on VHCC issued in December 2009

Lord Bach, on behalf of the Ministry of Justice and the LSC, has refused to extend the time for responding to this paper notwithstanding the clear recognition that this LSC consultation and the MoJ consultation issued in December were clearly linked and despite the fact that the MoJ consultation is itself contingent upon an as yet unpublished consultation on the highly controversial issue of a single graduated fee.

In these circumstances the Bar Council and the CBA are simply not in a position to respond in a meaningful way to all the issues raised in the LSC consultation paper.

The issues arising are of the utmost importance to the future of the Bar. This consultation is an attempt to force the Bar into making choices when the consequences of those decisions are in fact dependent on the outcome of another consultation process that has not even begun. That does not merely inhibit free choice it is not a choice at all.

The Bar Council and the CBA have made clear that they support the GFS Plus scheme. Despite the LSC stating expressly that this option has “merit” it has not even been made the subject of consultation. It remains the position of the Bar Council and the CBA that GFS Plus is the proper way forward and that is why we have completed the questions in Part B of the paper. Beyond that, the Bar Council and the CBA are not able to set out submissions or views on the options put forward by the LSC.

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