

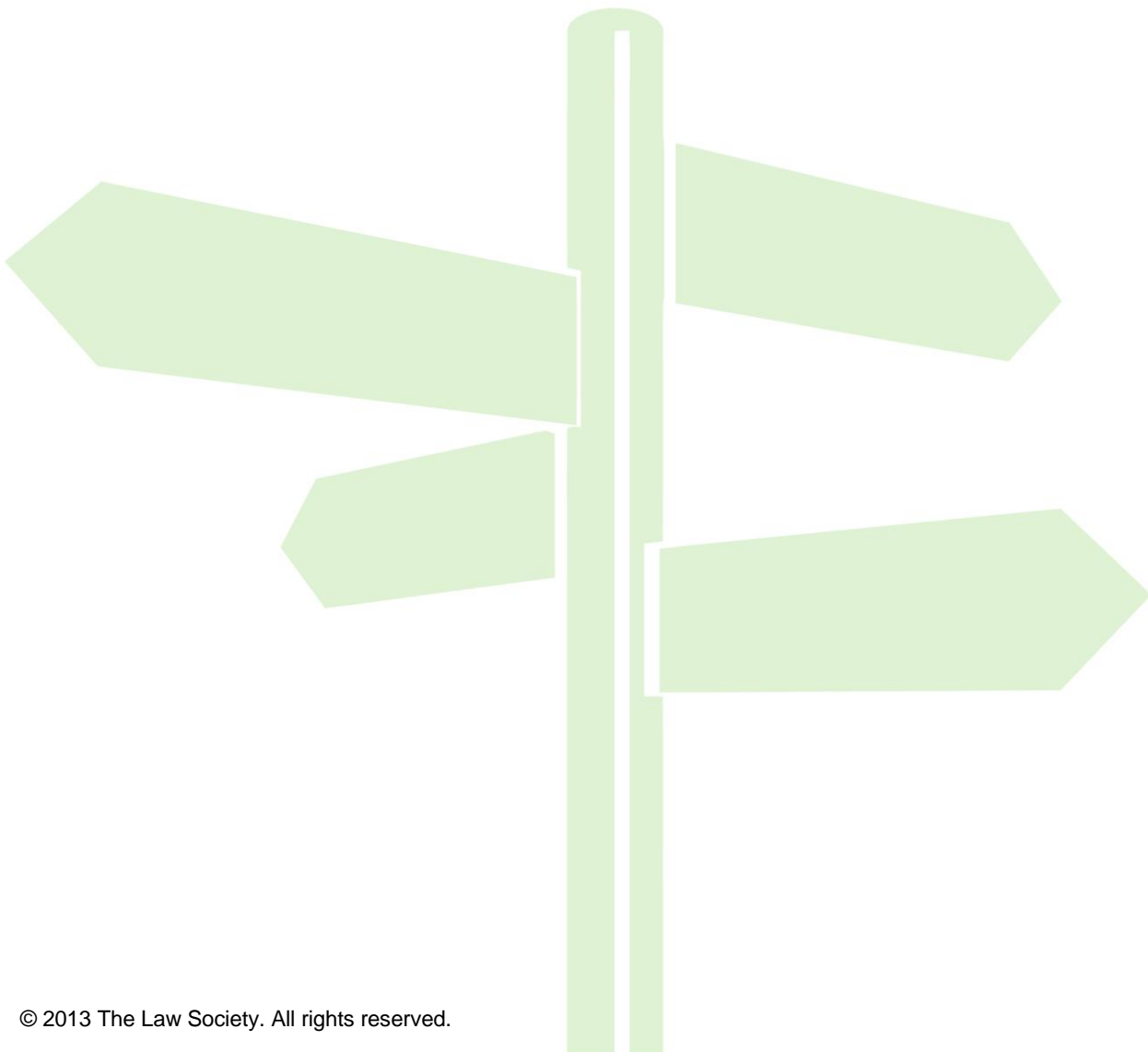


The Law Society

# **Reforming the Advocates' Graduated Fee Scheme**

Response of the JLD to the Ministry of Justice consultation

March 2017



## **The Junior Lawyers Division**

### **Response to the Ministry of Justice consultation: Reforming the Advocates' Graduated Fee Scheme**

The Junior Lawyers Division (JLD) is a division of the Law Society of England and Wales. The JLD is one of the largest communities within the Law Society with over 70,000 members. Membership of the JLD is free and automatic for those within its membership group including LPC students, LPC graduates, trainee solicitors and solicitors one to five years qualified.

The JLD considers it appropriate to respond to this consultation in the interests of its members, some of whom are solicitor advocates with higher rights of audience. The JLD has considered the response prepared on behalf of the Law Society and supports their response to the consultation. However, the JLD wishes to highlight points that are of particular concern to our members.

The JLD is extremely concerned that the uplift of remuneration for QC's disadvantages solicitor advocates, and in particular those junior advocates who undertake criminal advocacy. The MOJ's proposals could reduce the remuneration available to junior advocates and instead increase remuneration for QC's. There is no incentive for junior lawyers to qualify into criminal law, which is already an area that has been subject to considerable fee cuts through legal aid reforms, and the MOJ's proposals only seek to reduce the potential for junior lawyers to earn a living even further. The JLD is of the view that if it not seen as financially viable for junior lawyers to specialise in criminal law there is the potential for a lack of representation available for defendants in the future. This would have a negative impact on the choice available for consumers.

Furthermore, the JLD considers that the proposals would have a direct impact on those from lower socio-economic backgrounds entering the profession who wish to specialise in criminal law as it simply would not be financially viable for them. The JLD would not wish for there to be a position where only those with sufficient independent means can afford to work as a criminal advocate.

The Junior Lawyers Division  
March 2017