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Craig H Robb  
Policy Advisor  
Legal Services Board  
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Victoria House  
Southampton Row  
London  
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04 November 2009

Dear Mr Robb,

Thank you for your email of 16<sup>th</sup> September and for allowing the CPS the opportunity to respond to the supplementary consultation paper on the rules the Board proposes to make under sections 30 and 51 of the Legal Services Act.

We have one concern. The rules governing applications by Approved Regulators (ARs) to the LSB for approval of practising fee levels are set out in Paragraph D of the Practising Fee Rules. Whilst the rules, as drafted, require reasonable care to be exercised in settling the applications and transparency in the process and application of those fees, the assessment criteria currently make no requirement that the ARs' forecasted budgets be reasonable and proportionate in the context of the permitted purposes, nor that the practising fees themselves be reasonable and proportionate in that context.

Does the Board intend to scrutinise applications to ensure that the levels applied for are reasonable and proportionate? If so, what authority does the Board have to refuse applications that infringe that principle?

The CPS would welcome the opportunity to discuss this matter further. If you wish to do so, or wish to clarify any of the issues in this letter please contact Claire Moulsher or John Grealis in the Advocacy Strategy Programme on 0207 710 3128 or 0207 796 8255.

Yours sincerely,

**MIKE KENNEDY CBE**

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Chief Operating Officer

