From: Peter Blair QC [mailto:Peter.BlairQC@guildhallchambers.co.uk]
Sent: 10 January 2012 12:49
To: Consultations
Subject: Draft Business Plan 2012/13 and Strategic Plan 2012-15

To the Legal Services Board:

Please find below my Chambers' response to your consultation.

We have 2 principal responses:-

1) A planned 9% reduction in budget is a welcome start. However, publicly funded barristers in my Chambers have been subjected by Government to a reduction in their incomes of 38% over 3 years and an appalling spiralling of late payments, which is causing untold cashflow problems and misery.
   The level of cuts we have been caused should be directly matched by the LSB (who we fund).
   If that results in a reduction in achieving your desired programmes, your efficiency, and a slower pace of activity, so be it.
   Accordingly, we invite the Board to reduce its level of activity planned in the consultation paper so as to be less ambitious in the period covered, deleting parts of its programme or spreading the objectives over a longer time.
   Salaries should be reviewed and each post subjected to carefully reasoned justification.

2) The LSB's failure to do anything about 'Referral Fee' bribery has so undermined its reputation that it has damaged the credibility of its pronouncements on all other matters. Therefore, as a priority, it should reconsider this whole area and engage with this topic properly. It has very significant financial consequences on consumers in its effect on insurance premiums and upon the quality of the legal advice/representation they can obtain (referral fees having been creamed off so that the sum left for good legal advice is diminished). In the criminal law field it also seriously distorts the market so that advocates are chosen for vulnerable clients not on merit, but as a result of secret payments to secure work by those who might not otherwise be briefed on quality grounds but who are prepared to act unethically.
   Accordingly, we invite the Board to replace one of its currently planned programmes with a reassessment of the need to outlaw 'referral fees'.

Peter Blair QC