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Treasury Chambers, Parliament Street, SW1P 3AG

The Rt Hon Sir Michael Havers QC MP
 Attorney General
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NBM

Dear Michael,

26 March 1986

REMUNERATION OF BARRISTERS

Thank you for your letter of 6 March. I understand that the Permanent Secretary of the Lord Chancellor's Department is now to chair a committee including your officials and mine, to establish the cohesive strategy to which you refer. This will be a useful step forward.

I am glad that you have been able to make progress on sessional fees. I would prefer that the rates that have been negotiated should not be treated as minima, and that there should be scope for Crown Prosecutors to adjust to local market rates. If this cannot be secured, it is important that exceptions to the norm should be tightly drawn. If the Bar can be persuaded to agree to these rates, this should reduce the threat of militant action in Magistrates' Courts.

I understand that there has been some progress also on the structure of rates for prosecutions in Crown Courts after 1 October, although of course discussion on the rates themselves has to take account of the outcome of the judicial review. I remain strongly of the view that the next step is discussion of supply and demand and of working practices as outlined by E(A); because it is only on this basis that we will have sound evidence of what is necessary, which we can then assess against what we can actually afford. These discussions will now be taking place over the next few weeks, and I would expect that in this improved climate

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you will be able to get the Crown Prosecution Service off to a good start. I believe that in any case the Government is in a strong negotiating position with the Bar, whatever the outcome of the discussions which are now to begin.

Copies of this letter go to the Prime Minister, members of E(A), the Lord Chancellor and to Sir Robert Armstrong.

Yours ever,
John

JOHN MacGREGOR



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