

Attorney General as leader of the Bar

No doubt it was thought 'inappropriate' for the Attorney to preside on 8 February because, since the meeting was called to discuss the level of fees for criminal work, it was felt the Attorney's impartiality was, or might appear to be, in doubt. The Prosecution of Offences Act 1985 places upon him the function of regulating the scale of fees payable to counsel briefed by the new Crown Prosecution Service, and the same man can scarcely be expected both to fix the fee scales and represent those affected by them. Yet practising barristers who feel the state is underpaying them have a need to be able to turn, as heretofore, to the Attorney as their leader and defender. The Bar is currently under pressure on other fronts too. More than ever before in modern times, it requires the services of its historic champion.

The authorities of the Bar would be well advised, in the light of this incident, to consider whether the change in the Attorney's position made by the 1985 Act was soundly conceived. It may be they should seek an amendment of the law whereby his traditional function as leader of the Bar can be restored.

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