

**Minutes of the Meeting of the VHCC Steering Group held on 28 July 2009 at the Ministry of Justice, 102 Petty France, London**

**Present:** Sarah Albon (SA)  
Marie Bray (MB)  
Prof Martin Chalkley (MC) (by telephone)  
Robert Heard (RH)  
Derek Hill (DH)  
David Keegan (DK)  
James MacMillan (JM)  
Paul Mendelle QC (PM)  
Keith Milburn (KM)  
Richard Miller (RM)  
Matt Shelley (MS)  
Barbara-Ann Tweedie (BAT)  
Rodney Warren (RW)

**Action**

**1. Minutes of Previous Meeting**

Subject to the inclusion of some amendments from MS the minutes of the previous meeting were approved.

**2. Matters Arising**

None that are not covered elsewhere on the agenda.

**3. Update on Bar Sub-Group Proposals**

MC reported that data from 45 cases had now been received, though only about 25 returns provided the full range of data required for analysis. Although this fell short of the minimum number needed to conduct a full analysis MC felt it was sufficient to test against the structure of the sub-group scheme. MC agreed that it would be necessary to explore with MOJ whether or not the same of 25 was both representative and robust enough to predict the impact of the proposals.

PM said that the response from barristers was disappointing and that the Bar Council would chase up individual practitioners to get more returns.

As the paper from the sub-group had only been circulated earlier in the day it was agreed that comments should be circulated to the group before the next meeting.

All

**4. Consultation Document**

MS noted that the sub-group scheme had to be finalised by the end of August/early September if it was to be included in the consultation document. MS asked for views on the other options in the consultation paper, ie 'do nothing', benchmarking option and extended graduated fees. MS was modelling graduated fees for some VHCC cases and agreed to share that with the Working Group when complete.

MS

MS also asked that the Bar Council and Law Society confirm in writing that they were content for a consultation period that was shorter than 12 weeks.

Bar  
Council/  
Law  
Society

SA noted that adopting a "do nothing" option would mean reducing rates to live within the predicted spend at the start of the current scheme.

It was agreed that the consultation document needed more definition about the proposals for litigators, which were currently expected to be the status quo or a variation of benchmarking. MS confirmed that although the eligibility criteria to do VHCC work had not been finalised, but that the criteria would not exclude current non-panel firms. MS and RW agreed to discuss both issues separately.

**5. Date of next meeting**

The working group would meet again on Monday 17 August 2009 at 17.00 [since the meeting the time was moved to 18.00] at the LSC, Abbey Orchard Street.