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### **Consultation on Reviewing the Fee for Acting as a Commissioner for Oaths**

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Thank you for your letter of 16 September 2009 inviting the Legal Services Commission (LSC) to comment on the above consultation.

#### **Response**

We appreciate that the proposed new fees would be in line with the other updated oaths fees following the Civil Court Fees Review 2007. However, we note that the proposal is to increase the Commissioner for Oaths fees by 100%.

The LSC funds these fees as part of the disbursement claims from our providers, the majority of which are from Family cases. The LSC has conducted some analysis to find out the impact of the proposed increase on the legal aid budget. It was not possible to get precise figures since these fees are not coded separately from other disbursement costs, however, we estimate a potential additional cost to the legal aid budget of £200k per annum. It should be noted that since the figure quoted represents our best estimate, the actual impact could be higher or lower. Either way, this would be an unwelcome impact on the already stretched legal aid budget.

You also sought our views on whether the proposed increment should be fixed or simply capped with a maximum fee limit. In reality, we think it is unlikely that practitioners would choose to charge a rate lower than the maximum fee limit since the fees themselves are nominal in nature and the cost of monitoring any such arrangement would be prohibitive. In addition, fixed fees would provide simplicity and greater certainty for everyone involved.

I hope you find this response useful. We would welcome the opportunity to contribute to any Legal Aid and Justice Impact Test conducted at a later stage.

If you have any queries about its contents, please do not hesitate to contact Lily Loke, Corporate Governance Adviser, at [lily.loke@legalservices.gov.uk](mailto:lily.loke@legalservices.gov.uk).

Yours sincerely

**Hazel Parker-Brown**  
**Executive Director for Corporate Services**  
**Legal Services Commission**

cc. Lily Loke