

MEMORANDUM FOR THE CABINET BY
THE MINISTER OF JUSTICE AND
PARLIAMENTARY AFFAIRS

Salaries of Legal Grades

Following the resolution by the Chamber of Advocates in May of 1968 inviting its members "not to apply for and not to accept any professional appointment with the Government before the conditions relating to such appointment have been approved by the Chamber" which resulted in unfilled vacancies in the staff of the Crown Advocate General, the Chamber submitted to the Government a claim for a general Revision of Salaries of the Judiciary and all law officers. The Chamber was giving priority to the revision of the salary scale of Crown Counsel from £1,500 x 50 - £1,900 to a fixed salary of £2,450.

2. The Minister, with the approval of Cabinet proposed in October, 1970, to the Chamber that the salary scale of Crown Counsel should remain as recommended by the Salaries Anomalies Commission, i.e. £1,550 x 50 - £1,900 with the proviso that new entrants be granted an increment for every complete year of private practice and/or service with the Government in a legal capacity. This proposal was not acceptable to the Chamber.

3. With a view to finding a solution to this problem, the Crown Advocate General in November, 1970 submitted fresh proposals involving:-

- a) the creation of the post of Assistant Crown Advocate General at £2,340 per annum;
- b) the provision of an additional post of Senior Crown Counsel at £2,270 per annum;
- c) the revision of the salary of Crown Counsel from the present incremental scale of £1,550 x 50 - £1,900 to a fixed salary of £1,900 per annum, but appointment to the post will be subject to a minimum seven years practice as advocate;
- d) the revision of the salary of the basic grade law officers from the present incremental scale of £1,400 x 50 - £1,650 to a fixed salary of £1,650 linked with 5 years practice.

4. On the 24th November, 1970, the Cabinet directed the Crown Advocate General and the Administrative Secretary to discuss the proposal with Establishments and report back to Cabinet.

/With regard

5. With regard to the proposals at 3(a) and (b) above the Establishments Division did not raise any objections as the first implied the creation of a new post and therefore not covered by the recommendations of the Salaries (Anomalies) Commission and the second referred to the provision of an additional post at the existing scale recommended by the Commission.

6. With regard to the proposed revision of the Crown Counsel salary at 3(c), two alternatives were considered, (i) a fixed salary of £1,900 vice an incremental scale of £1,550 x 50 - £1,900 and (ii) an incremental scale of £1,750 x 75 - £2,125. Establishments are of the view that no change in a salary scale recommended by the Anomalies Commission, however small, can be totally devoid of the risk of repercussions, but, of the above two alternatives, the first, that is a fixed salary of £1,900 linked to a minimum of seven years practice was the less objectionable.

7. The proposal at para 3(d) is not considered advisable by the Establishments Division as the incremental scale of £1,400 x 50 - £1,650 was the scale of the basic grades of the other professional classes; and any adjustments to this scale would bring about many serious repercussions. Despite these considerations, the Minister still feels that this post should be on the basis of a fixed salary of £1,650, subject to the introduction of a qualifying period of five years in private practice, consistently with the parallel condition of recruitment of Crown Counsel.

8. In view of the above, the Crown Advocate General and the Administrative Secretary recommend that the following posts be proposed to the Chamber of Advocates:-

- a) the provision of a post of Assistant Crown-Avocate General at £2,340 per annum.
This is a post already provided for under Section 3 of the Crown-Avocate General and Crown Counsel (Constitution of Office) Ordinance (Chapter 140).
- b) An additional post of Senior Crown Counsel at the existing salary of £2,270 per annum, against suppression of one post of Crown Counsel.
- c) Revision of the existing salary scale of Crown Counsel to a fixed salary of £1,900.
Appointment to the post will be subject to a minimum of 7 years practice as Advocate.

(All salaries mentioned in this Memorandum are exclusive of the percentage increases currently being paid).

8. Ministers are asked to consider whether the proposals outlined above under (a), (b), and (c) should be made to the Chamber of Advocates. Moreover, they are also asked to consider whether the Minister's recommendation concerning Advocates in Departments should also be proposed to the Chamber of Advocates.

7th December, 1970.