

Legal Aid Agency ordered to disclose IFFO offers policy document

Anthony Speaight KC acted for the successful claimant and interested parties in the judicial review of the Legal Aid Agency's approach to barrister's fees in very high costs cases. Such funding is currently provided under a scheme known as the Interim Fixed Fee Offer ("IFFO"). Under this scheme a fixed fee for the entire case is offered after information on the work involved has been obtained from a client's proposed barristers. To date the Ministry of Justice has declined to publish the internal policy document used by the Legal Aid Agency to calculate IFFO fees.

The Divisional Court (Holroyde LJ and Green J) in *R (Ames) v The Lord Chancellor* ordered disclosure of this, and quashed the offer which had been made, partly on account of manifest errors by MoJ officials. The criminal case to which the legal aid related was described as "highly unusual if not unique" with literally millions of pages to be considered by defence counsel; and hence the size of the proposed fees exceptionally high. But the requirement of transparency of policy will affect every barrister very high costs criminal case.

The judgment is available [here](#).