



Ministry
of Justice

The Right Honourable
Robert Buckland QC MP
Lord Chancellor & Secretary of
State for Justice

Dr Martin Read
Chair, Senior Salaries Review Body
Fleetbank House
2-6 Salisbury Square
London
EC4Y 8JX

MoJ ref: 86260

12 March 2021

Dear Martin,

NON-LEGAL MEMBERS FEES REVIEW

I am writing formally to ask the Senior Salaries Review Body (SSRB) to undertake a review of the fees paid to Non-Legal Members (NLMs) in tribunals for whom I set the rate of remuneration, and the devolved tribunals in Northern Ireland. I very much value the SSRB's robust and independent advice and think that you are best placed to conduct a review of this type. This letter sets out the main points of the commission; the detail is captured in terms of reference, drawn up following helpful discussions with your officials.

Context

Fees for NLMs in the tribunals have not been reviewed since 2008 when the tribunals were brought into the unified courts and tribunals service. In contrast to legal members of tribunals, there is wide disparity in the daily sitting fee rates paid to NLMs.

You will recall that the SSRB's Major Review of the Judicial Salary Structure in 2018 recommended increasing the salary of Salaried (Regional) Medical Members sitting in the Social Entitlement Chamber. We felt unable to act on this recommendation at the time because to do so would have led to significant disparity between the amounts paid to salaried and fee-paid medical members. Instead, we made a commitment to carry out a wider review of NLM fees.

In light of this commitment and bearing in mind the length of time since NLM fees were last examined, I think it important that we commence the review now.

Remit

I invite the SSRB to consider, and make recommendations in respect of, the fees paid to NLMs in tribunals for whom I set the rate of remuneration, and devolved tribunals in Northern Ireland. I am particularly keen to achieve greater consistency in fees for NLMs fulfilling comparable roles and to ensure that fee rates are set at a level which enables the recruitment and retention of high-calibre individuals.

In consultation with the Senior President of Tribunals, I will convene a representative advisory group to advise on the evidence-gathering process for this review. When developing recommendations, the SSRB will want to take account of the evidence we provide on areas such as affordability, recruitment, retention and diversity of NLMs. I plan to submit written evidence to you by the summer.

The proposed timings of the NLM review mean that recommendations would be implemented in 2022/23 at the earliest, although we will of course need to have regard to the position on public sector pay at that point.

I would be grateful for your confirmation that the SSRB is content to carry out this review on the terms proposed.

Yours ever

A handwritten signature in black ink that reads "Robert Buckland". The signature is written in a cursive, slightly informal style.

RT HON ROBERT BUCKLAND QC MP