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### Cloth Fair Chambers: Men of the Cloth

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Some have called them arrogant, but the seven QCs who have launched Cloth Fair Chambers insist that their expertise and 'old school' structure will benefit all of the practitioners on any high-value case

The Lawyer's revelation that seven leading criminal and fraud barristers were leaving their respective sets to launch a new chambers focusing on high-value work raised more than a few eyebrows within the Inns of Court earlier this year.

Competitors said the establishment of the new set, Cloth Fair Chambers, smacked of arrogance: why should the seven assume that clients would pay more for their services? Questions were also raised about the lack of juniors within the new set and its ability to function without younger barristers.

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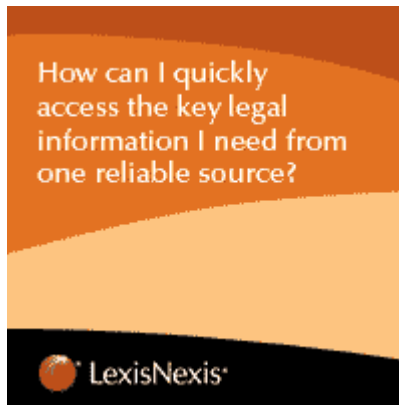
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But Nicholas Purnell QC, head of Cloth Fair, defends the set's model. "The only work we will not be doing is work that's not properly remunerated for the talent of the barrister involved," he says.

What Purnell, previously of 23 Essex Street, and his six colleagues at Cloth Fair want to promote is a return to the old way of doing things, with the benefits for solicitors and clients of instructing an independent advocate early. They see no reason why a criminal set should not offer clients the same dispute resolution service that many civil sets offer.

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"We started thinking about it because we thought it was important to try and widen the way in which the bar provides its services to professional and lay clients," Purnell says. "Over my working lifetime the structured way in which barristers gained their experience has changed. Young barristers now learn their trade in doing briefs or pleas and direction hearings, which is not the role of an advocate, it's an administrative function."

Ian Winter QC, also a founder of Cloth Fair and previously of Hollis Whiteman Chambers, adds: "People should come to see us at the outset of the problem so it can be managed. To make this step, we wanted to do so in a way which caused the least turmoil, both for us individually and the sets of chambers we left behind."

Winter says Cloth Fair is keen to maintain relationships with the sets its members left behind. Juniors from those sets as well as others are already working on cases alongside the Cloth Fair silks.

Purnell is anxious to emphasise that Cloth Fair does not see itself in conflict with other criminal sets. "We weren't going to a set of chambers in competition, we were going to something different. We're in partnership with the rest of the criminal bar, not in competition," he says.

A long time coming Purnell and Winter, along with Timothy Langdale QC, also formerly of Hollis Whiteman, and Edmund Lawson QC of 9-12 Bell Yard had been discussing the possibilities of launching the new set for around five years.

In February 2006 it emerged that Winter and Langdale had convinced fellow Hollis Whiteman members Julian Bevan QC, John Kelsey-Fry QC and Richard Horwell, who like Winter was appointed silk in July 2006, to join the original four.

But the set was delayed in actually starting to take instructions until the autumn, caused solely by the delay in finding, buying and renovating Cloth Fair's 17th century Smithfield building. However, both Purnell and Winter say that the eventual timing worked out well.

The news of the launch broke in *The Lawyer* (27 February) shortly after Lord Carter of Coles was appointed by the Government to examine legal aid. Since then Carter has announced a raft of recommendations, which will change the way firms and chambers are instructed on legal aid work.

Cloth Fair welcomes the Carter Report, but Winter believes that not all of the recommendations will work in practice.

"In particular for the high-cost cases the structure of the contract of that work is, as far as I can see, pretty uneconomical," Winter says. "We're keen to do that work, but frankly it doesn't pay the bills."

Purnell adds: "If Carter and the Government's distortion of Carter come about, and sets are going to tender for contracts, I don't see how

chambers are going to cope with that."


Publicly funded work Although members of Cloth Fair will focus on high-cost work, including fraud trials, where they already have a wealth of experience, that does not mean they have discounted publicly funded work.


Winter reveals that the set has opened talks with public funders, including the Crown Prosecution Service, the Serious Fraud Office and the Legal Services Commission, about the possibilities of set rates for pieces of work instead of payment by the hour. He argues that Cloth Fair's members, by dint of their experience, will provide a quicker service and therefore a potentially cheaper one.

Purnell acknowledges that the four most senior members of chambers - himself, Langdale, Lawson and Bevan - will at some point in the not-too-distant future be retiring. So Cloth Fair already has its eyes on potential new tenants to ensure the set's longevity.

"That's going to be the most interesting test for us - the creation of the second generation," he says.

Winter, who at 18 years' call is the most junior of the seven, concludes: "We hope to be able to attract the people who fit this mould in the years that come. I believe the concept is right. I think it's right for the bar and it's commercially right." n

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