



**SPEECH BY SAMUEL TOWNEND KC, VICE CHAIR OF THE BAR,  
AT THE SWEARING IN OF  
THE NEW LORD CHANCELLOR ALEX CHALK KC MP**

24 May 2023

On behalf of the Bar of England and Wales, may I welcome the new Lord Chancellor at his swearing in and declaration.

I stand in for Nick Vineall KC, the Chair of the Bar, who sends his apologies as he is abroad on Bar Council business. As Vice-Chair, therefore, it happily falls to me to welcome you, my Lord Chancellor, on behalf of the Bar and I am delighted to do so.

The Lord Chancellor is the chief custodian of our system of law and justice.

The House of Lords Select Committee on the Constitution in its January 2023 report on “The roles of the Lord Chancellor and the Law Officers” made only limited recommendations as to reform of the role, although reminding us that in addition to the administrative functions, the Lord Chancellor should fulfil a wide, cross-departmental, role in defending the rule of law and educating his or her colleagues of its importance.

More than any of the limited formal proposals for change, the report stressed the critical importance of the nature of the holder of the office, that the most important attributes for a Lord Chancellor to possess should be “character, intellect and commitment to the rule of law” and that “In fulfilling their duties Lord Chancellors

must be willing and able, where necessary, to stand up to Cabinet colleagues and the Prime Minister.”

The Bar is glad, then, [as we have heard from my Lord, the Lord Chief Justice, and the Attorney General], that we have in the Lord Chancellor someone who fits that bill, a lawyer who spent his life before politics in practice at the independent Bar and then, in politics, principally dedicated to justice issues in addition to his constituency duties.

I will not repeat what has already been said about the earlier career of the Lord Chancellor, but simply to add one or two points. In practice at the Bar his abilities did not go without judicial note. At just five years post-call, in responding to an appeal by way of case stated, *Soe Thet v Director of Public Prosecutions* [2006] EWHC 2701 (Admin), the quality of the submissions of the then Mr Chalk of counsel attracted the admiration of the then Lord Chief Justice, Lord Phillips of Worth Matravers, when he commented that counsel for the respondent “argued a difficult case with admirable clarity and eloquence” and that one particular argument was “ingenious”. Of course, as expected following words such as that, the appeal was allowed, but the approval of the highest Judge in the land no doubt encouraged his efforts.

The energy displayed in Court was reflected out of Court and colleagues at the Bar recall how, as a junior barrister, the now Lord Chancellor was famous for cycling vigorously between home, Chambers and Court adorned with a fluorescent green ruck sack containing the day’s papers. It is also said that in brief lulls of activity impromptu displays of pull-ups on convenient door frames were not unknown.

The Bar Council is not, of course, party political in any of its activities. In all of its dealings with Government the Bar Council advocates, in the public interest, for respect for the Rule of Law and to ensure that the justice system is properly resourced and efficiently run.

The independence of the judiciary and, if I may add, the Bar, is one critical part of ensuring adherence to the Rule of Law. Judges and lawyers in carrying out their jobs should do so free from personal attacks from those, sometimes in senior positions in public life, who should know better.

Given the significant backlogs in an underfunded justice system, an overstretched publicly funded Bar, and the creaking and, in parts, decrepit, Court estate, it is hard to think of a more difficult time to take office as Lord Chancellor.

The dedication, vigour and energy that you, my Lord Chancellor, have displayed in your career to date is sorely needed in your new role. As you rightly said in your debut as Lord Chancellor in parliamentary questions from the despatch box in the House of Commons “The Rule of Law, access to justice and the independence of the judiciary are the bedrock of our society.” The Bar Council, respectfully, agrees and offers to assist you in tackling the myriad challenges however we can.

I said in opening that I was speaking on behalf of the Bar of England and Wales. I should add that I have shared my remarks with the Dean of the Faculty of Advocates of Scotland, Roddy Dunlop KC, and the Chair of the Bar of Northern Ireland, Moira Smyth KC, who both wish to convey that they wish to associate themselves, and their respective Bars, with these remarks.

The Bar, therefore, wishes to endorse my Lord, the Lord Chief Justice’s words, and to congratulate you on your appointment and to welcome you as Lord Chancellor.

ENDS