



**Sam Townend KC, Chair of the Bar**  
**Address at the swearing in of the new Lord Chancellor,**  
**Shabana Mahmood MP**  
**Monday 15 July 2024, Court 4**

1. On behalf of the Bar of England and Wales, may I welcome the new Lord Chancellor, Attorney General and Solicitor General at their swearing in and declaration.
2. It truly is an occasion of historic firsts, the first Lady Chief Justice in a millennium hearing the swearing in of the first female lawyer, and first Muslim, as Lord Chancellor.
3. Firsts of this kind should, of course, be marked and celebrated, but they are bitter-sweet in nature. It has brought to my mind the response of the United States Supreme Court Justice, Ruth Bader Ginsburg, only the second woman to serve on that court in its over 300 years of history, when asked when will there be enough women on the Supreme Court, she replied: "I say when there are nine...there'd been nine men, and nobody's ever raised a question about that."
4. Lord Chancellor, you are now the chief custodian of our system of law and justice with the responsibility for the effective functioning and independence of the courts of England and Wales. There is no doubt this is a heavy personal duty and much depends upon the character and tendencies of the office-holder. In all of my dealings with you, and on the basis of your personal and professional background in the law and in politics, it is clear that you have all

of the essential attributes to make a great Lord Chancellor, temperament, intellect and commitment to the rule of law.

5. It is appropriate to re-state in this, the Bar Council's 130<sup>th</sup> year, and given the change of Government that, in modern times, the Bar Council has not been, and is not, party-political in any of its activities. In its dealings with Government, the Bar Council advocates in the public interest for the proper resourcing and efficiency in the running of the justice system and for respect for the rule of law.
6. I was fortunate to give the address on behalf of the Bar on the swearing in of the last Lord Chancellor, in May 2023. On the topic of resources and efficiency in the justice system notwithstanding, no doubt, personal efforts on his part, it is sad for me to say that I can only repeat to you, what I said to him on that occasion, that there are significant backlogs in an underfunded justice system, an overstretched publicly funded Bar, and a creaking and, in many parts, decrepit, Court estate. Once the immediate crisis of prison capacity is resolved, focus is direly needed on these areas. Real investment is required, albeit, to plagiarise the words of the last Lord Chief Justice, such sums as would constitute a rounding error in the budgets of the major spending departments of state would make a substantial difference.
7. On the question of adherence and respect for the Rule of Law, you manifestly understand the issue. It was reassuring to me that as part of your speech on this topic that you gave in April this year, at Gray's Inn, your Inn, and which I was privileged to chair, you said:

*"it is our independent courts who must...interpret and enforce...laws, with no hint of political interference.*

*And the government must protect that independence..."* You said that you would not be an accessory to government disregard of the rule of law, and

acknowledged that *"...ministerial irritation is not a failure of our system- it is a feature of it, when the checks and balances are working as they should."*

8. These statements are welcome indeed. Our moral authority on the international stage, our ability to persuade other nations, our soft power, is underpinned by our own respect for human rights and the rule of law.
9. Linking these things together, a consistent commitment to adherence to our legal obligations and a properly resourced domestic justice system, staffed as it is by excellent judges, solicitors, staff and, we intend, excellent advocates, underpins our extraordinarily successful legal services market, a great employer, engine for social mobility and a growth sector for the country.
10. We also welcome the Attorney General, a role that has traditionally been regarded as the leader of the Bar. The Attorney General has enjoyed a stellar career as a public lawyer in self-employed practice. His appointment underlines the new Government's stated commitment to observe domestic law obligations and to adhere to, and support, the international rules-based order.
11. The leader of the Wales and Chester Circuit, Caroline Rees KC, has told me that the Attorney General's appointment has been particularly warmly received in robing rooms in Wales. The Attorney General grew up in Cardiff, did pupillage and became a tenant at 30 Park Place in Cardiff. The Circuit Leader and the Attorney were junior tenants in Cardiff at the same time and she has asked me to convey that she hopes he will make Wales one of his first ports of call on any visits he may do outside London.

I welcome too the new Solicitor General, truly my learned friend, someone I have known, and indeed historically worked with on legal policy matters, for

the 15 years or so since she started practice. She is an experienced and conscientious public lawyer.

12. I look forward to welcoming both the Attorney General and the Solicitor General, as his deputy, to our forthcoming Bar Council meetings.
13. 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 have both asked me to convey that they wish to associate themselves, and their respective Bars, with these remarks.
14. The Bar, therefore, wishes to endorse my Lady, the Lady Chief Justice's words, and to congratulate you, the Attorney General and the Solicitor General on your appointments. We wish you well.

ENDS

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