

LADY CHIEF JUSTICE OF NORTHERN IRELAND

OPENING OF THE NEW LEGAL YEAR ADDRESS

7 SEPTEMBER 2026

Good afternoon.

Every year the delivery of my annual Address provides an opportunity to reflect on the legal year just past, to take stock of what has been achieved and to look forward to the coming year and beyond. It is a key reminder that the judiciary are not only delivering today but also planning for the future.

Let me begin by congratulating our three most recent judicial appointees who I had the pleasure of swearing into office last Friday.

Firstly, we had the appointment of a Lady Justice of Appeal with the elevation of Madam Justice McBride to the Court of Appeal. Following that Ms Moira Smyth KC and Ms Fiona Doherty KC were sworn in as High Court Judges and I look forward to working with them in their new roles.

Over recent years, we have seen a welcome and sustained increase in the number of female judges appointed across a diverse range of roles in this jurisdiction. A more diverse and inclusive judiciary that reflects the communities it serves is better equipped to inspire public confidence. Bringing a wider range of experiences and perspectives can only enrich the administration of justice and strengthen confidence in the fairness and accessibility of justice.

And while we should celebrate the progress made, we should not become complacent. We all have a responsibility to continue breaking down barriers, encouraging talented individuals from underrepresented backgrounds to consider judicial office, and ensuring that the judiciary continues to evolve in a way that fully reflects the society it serves.

Last Year's Rule of Law Priority

In my Opening address last year, I spoke about the Rule of Law and the importance of that in the context of supporting a just, democratic and prosperous society for all who live here.

I committed to explore and champion a better understanding of the rule of law in this jurisdiction.

In conjunction with the Bar of Northern Ireland a series of events were delivered each aimed at drawing together organisations and individuals from across Northern Ireland and beyond to examine a broad range of topics linked to the rule of law theme.

Those discussions transitioned from defining and exploring the rule of law and how it contributes to an economically stable society, to examining the challenges of maintaining and protecting the rule of law, to the final discussion on upholding the rule of law in the present day.

A series of podcasts, recordings and a video explainer are publicly available detailing those events and discussions. I would urge anyone with an interest in the law and legal processes of Northern Ireland to delve into those to explore how the rule of law is fundamental to protecting the rights of the citizen in our society.

Continuing the Rule of Law

I would like to build on the success of the rule of law events last year and take this further into the public sphere in the year ahead, feeding into work on delivering positive public understanding of the law. I remain concerned by commentary in the press, on social media, and by public representatives on matters that are before the courts, whether during the course of proceedings, prior to a verdict being delivered, or before sentencing has taken place. Let me be very clear about this, whilst robust scrutiny and criticism of judicial decisions are legitimate and important features of a democratic society, the right to freedom of expression carries corresponding responsibilities. It is essential that public discussion of cases before the courts remains

measured, informed, and respectful of the rule of law and the constitutional role of an independent judiciary.

Public confidence in the administration of justice depends upon cases being determined solely on the evidence presented in court and in accordance with the law, free from external influence or pressure. Commentary that seeks to prejudge issues, influence outcomes, or undermine confidence in the fairness of proceedings risks interfering with the proper administration of justice. This is particularly significant in criminal proceedings where a jury has been empanelled. Jurors must reach their verdict exclusively on the evidence they hear in court and the directions they receive from the trial judge. Widespread public commentary, especially where it is inaccurate, inflammatory, or speculative, can create a real risk of prejudice and may compromise the fairness of a trial.

Those with public platforms and influence have a particular responsibility to exercise restraint when commenting on ongoing legal proceedings. None of this conflicts with the principles of open justice, which I am also committed to. Freedom of expression is fundamental to our democracy, but so too is the right of every individual to a fair trial. These principles are not in conflict; rather, they must be carefully balanced. Respect for that balance is essential to maintaining public confidence in the justice system and safeguarding the integrity of court proceedings.

Assessing where we are with transparency initiatives, I am disappointed that another year has passed without progress on the broadcasting of courts in this jurisdiction. I am informed this is because the necessary legislation cannot be made in this mandate. Notwithstanding the delay, I will continue to support and advocate for the broadcasting of certain court proceedings, subject always to appropriate safeguards and protective guidelines.

Why is this important, relevant and something I continue to promote?

Well, greater transparency plays an important role in enhancing public understanding of the administration of justice, allowing the public to see firsthand the care, diligence, and impartiality with which judges approach their work. Too often, public perceptions of the justice system are shaped by incomplete or partisan views, social media commentary, or isolated extracts from proceedings. Responsible broadcasting can help address misconceptions by providing greater insight into the judicial process, the legal principles applied by the courts, and the reasoning that underpins judicial decisions.

I am very grateful to the interaction I have had with the media in relation to the broadcasting of courts, and other pilots that have looked at greater transparency. But I would also point out that it is imperative that the modernisation and outreach that this involves is driven forward and supported from within the Executive structures as well. Enhancing media access and the public broadcasting of courts will require changes to legislation and the establishment of protocols and guidance which set out the appropriate boundaries that must be followed. But I hope this does come to pass soon.

Priorities for the Incoming Year

I wish to expand on last year's rule of law theme and take this further into a citizen facing programme of engagement and openness.

However, my main priority this incoming year is to revitalise the already established protocols and explore other potential areas which would benefit from early resolution. I have prioritised this having listened to the people who have raised delays with me and who are undoubtedly affected by it.

Some of the problems are outside my control because across the system there are budget and resource constraints. However, I think we can continue to enhance some judge led initiatives in this area.

Courts continue to seek ways to improve access to justice, reduce delay, and ensure that disputes are proportionately resolved based on

complexity, and using alternative dispute resolution mechanisms available. Early resolution tools such as early neutral evaluation are a valuable complement to the justice system; one that can assist parties in making informed decisions and, in appropriate cases, achieving earlier and less costly resolutions.

Historically in this jurisdiction early resolution has been predominantly used within the civil justice sphere. However, I believe early resolution models should be deployed with greater frequency in commercial cases and also in civil legacy cases which are taking long periods before the courts.

In recent years I have also encouraged the extension of early resolution into family justice. The ancillary relief model of financial dispute resolution which results in over 90 per cent of cases being resolved at an early stage stands out as a clear indicator of success. More can be done in children's cases. The establishment of an early resolution pilot in the Family Division, then within the Family Care Centre and now the Family Proceedings Court in Belfast paves the way to look innovatively at the overarching principles of early neutral evaluation and tailor and deploy those as needed to bring benefits to family disputes.

While the terminology used may differ across jurisdictions, the common objective is to resolve disputes earlier, narrow issues, reduce delay and avoid unnecessary hearings, all of which are part and parcel of the profession's skill set. The current early resolution models across civil and family areas are guided by subject specific practice directions tailored to address the key points relevant to each jurisdiction and in the coming year I wish to expand and improve on those.

Early neutral evaluation could also be effective in criminal cases where early engagement between police, prosecution and defence representatives is key in one specific area – encouraging early and realistic pleas - which in turn can reduce delay, improve efficiency and early case disposal as well as improve outcomes for victims and witnesses. I am supportive of that aspiration and specifically I want to

work with partner organisations, the police, PPS, DoJ and the legal profession to revitalise the work of the proposed pilot in Antrim, which is designed to identify early guilty pleas, thereby freeing up the lists for trials.

These types of initiatives support a justice model that places greater emphasis on early engagement, judicial case management, realistic evaluation of cases and consensual resolution. The challenge is to explore how to integrate the principles of early resolution processes effectively to advance the overarching objective that all of us share: the fair, efficient, and accessible administration of justice.

Let me briefly mention artificial intelligence as it is part of the conversation on greater efficiency in case management. AI has the potential to be a transformative tool across many areas particularly in streamlining discovery and large amounts of material. Whilst I am acutely aware of integrity, regulatory and transparency concerns exist, It seems to be that we need to think about AI and its potential to be a transformative tool across many areas, particularly in streamlining discovery and large amounts of material. Used responsibly, it can help us work more efficiently, improve access to justice and enable judges and court staff to focus their time and expertise on the matters that most require human consideration. We should not be hesitant to embrace innovation where it can deliver real benefits for court users and the wider public. At the same time, we must recognise that AI is an emerging technology with inherent limitations and risks. It can assist the judicial process, but it cannot replicate the judgement, wisdom, independence and accountability that are fundamental to it.

I have established a Judicial AI group to develop overarching principles and guidelines around the use of AI technology and its interaction with the courts. That work is underway and I hope to publish in the incoming year materials that will assist both the judiciary and court users in their approach to AI within the court setting.

Continuing Work

I will continue work this year to maintain the momentum on many of the judge led initiatives that have been required in the absence of legislative reform. Let me mention a few of these.

In the criminal jurisdiction, significant progress continues to be made through a number of judicially led initiatives designed to reduce delay and improve experiences for victims and witnesses. The voluntary Under 13 Protocol, introduced following the Gillen Review, has transformed the management of serious sexual offence cases involving young witnesses and has now been expanded to include all child witnesses under the age of 16. Working in partnership with the PSNI, PPS, NICTS and the voluntary sector, the protocol is helping to ensure that cases involving children in the criminal sphere are progressed within challenging but achievable timescales, reducing delay and minimising the distress caused by prolonged proceedings.

Alongside this, the Belfast Domestic Abuse Contest Court has continued to demonstrate the benefits of a dedicated and coordinated approach to domestic abuse cases. Building on that success, consideration of how the principles underpinning the model may be applied more widely will continue and I do not see why these cannot be rolled out beyond Belfast. This has commenced with the recently launched Domestic Abuse pilot court in Laganside which is a specialist court model bringing together experienced judges, prosecutors, police liaison officers and support organisations, to ensure victims are better supported while cases are managed more efficiently and consistently.

Similar innovation is taking place within the family justice system. The Judicial Family Working Group launched an Early Resolution Forum in the Family Proceedings Court earlier this year, creating a structured process through which suitable disputes can be identified and managed by experienced family judges at an early stage. This complements the ongoing Media in Family Courts Pilot, which seeks to improve public understanding and confidence in family justice by permitting responsible reporting of proceedings within carefully controlled safeguards.

Together, these initiatives demonstrate that meaningful reform can continue to be delivered through judicial leadership and collaboration.

My judicial colleagues and I want to do more. All of the pilots I have mentioned remain very real, practical changes that can modernise and improve outcomes for individuals. Some have been in place for many years and have proved their effectiveness – yet still they are limited in geographical locations and funding support and are therefore restricted in the extent to which they can benefit all of Northern Ireland’s citizens.

In addition to continuing with these pilots, as I have said early resolution will be promoted by judge led initiatives and practice. I await the day when these pilots become established natural processes.

Budget and Resourcing

It goes without saying that budget and resourcing needs to be improved in Northern Ireland to make justice work better and ameliorate delays across criminal, civil and family justice.

Also, while investment in buildings and technology is important, the greatest determinant of success will be investment in people. Modernisation can deliver new courtrooms, improved digital systems and enhanced facilities, but these improvements will only achieve their intended benefits if they are supported by sufficient human and judicial resources. The allocation of funding must therefore recognise that a modern justice system depends not only on its infrastructure, but on the professionals who operate within it every day.

Adequate judicial capacity is essential to reducing delay, increasing throughput and ensuring that court users receive timely access to justice. Similarly, capacity within criminal justice organisations, court staff, legal professions and other partner and support services must also be enhanced.

Ensuring that funding is directed effectively can create a justice system that is not only more modern in appearance but practically delivers better outcomes for all court users.

Conclusion

In concluding this address, I want to restate my commitment to work closely with all stakeholders across the justice system to maximise the effectiveness of our collective efforts in serving society. I have greatly valued collaborative working with a wide range of justice partners.

Such collaboration is more important than ever in the face of significant budgetary pressures, both within the justice system and beyond. Realising the full potential of projects that deliver the greatest benefits will require the focusing of resources on initiatives that can actually deliver outcomes that make a positive difference.

I will do everything within my remit to ensure that the judiciary play a full and constructive role in advancing these priorities, while preserving our institutional independence and remaining steadfast in our commitment to upholding the rule of law.

Thank you for your attention.