

Opening of the Legal Year in Northern Ireland

6th September 2021

Lord Chancellor, The Rt Hon Robert Buckland QC's remarks

Introduction

My Lady Chief Justice and honoured guests, it is such a pleasure to be here in person today for the opening of the legal year in Northern Ireland. It is particularly pleasing to join you for this celebration because I am not merely called to the Bar of England and Wales, but am also called to the Bar of Northern Ireland after I became Solicitor General, when part of my work was the exercise of the functions of the Advocate General for Northern Ireland.

As we look ahead to the new legal year, you are doing so with a new Chief Justice and, before I move on, I would just like to say something about her predecessor. Sir Declan Morgan has had a long and distinguished career over many decades, as a barrister, as Senior Crown Counsel, as a judge in the High Court and the Family Division, and as Lord Chief Justice for more than twelve years. I want to put on record my thanks and that of the UK government to Sir Declan for his work over many years, not only as a professional but as an advocate for reform of the law. I am pleased to say that he will carry on using all that experience as he continues to contribute to the law by becoming the newest member of the Supplementary Panel of the UK Supreme Court.

Now for the very first time, the office of Chief Justice of Northern Ireland is held by a woman. Of course, Lady Hale blazed a trail as President of the UK Supreme Court, but this is a poignant moment because it is the first time that a woman has led the judiciary on behalf of any nation within the United Kingdom. It has been a long journey – from when the first Chief Justice of Northern Ireland, Sir Denis Henry was appointed in 1922 to when Sheelagh Murnaghan was the first woman called to the Northern Ireland Bar in 1948 – and I was honoured to attend the Lady Chief Justice's swearing-in ceremony, albeit virtually, last week.

It is not just a proud moment for her, but for each of us – that what qualifies a person to lead the judiciary in our country today is nothing more and nothing less than the content of their career in the law and the breadth of their experience both in practice and on the bench. These are what make a great Chief Justice and I know that Dame Siobhan will be a wise and able steward of the judiciary here in Northern Ireland.

The importance of judicial diversity

But while we can take pride in Dame Siobhan's swearing-in, we must keep up momentum to ensure that other appointees from hitherto under-represented groups are able to follow rapidly in her footsteps. I look forward to attending the swearing-in ceremonies of increasing numbers of women, members of ethnic minorities and other under-represented groups to senior judicial positions across the United Kingdom.

I have said many times that diversity in the law is a strength. It amplifies the most talents and brings to the bench a diversity of thought and experiences. And the more closely the system mirrors our communities, the more likely we are to reassure people about its ability to treat those who are different from each other with equal dignity, humanity, and respect.

I know that both the Law Society and the Bar of Northern Ireland are committed to diversity, inclusion, and equal opportunities for all people within the legal profession, as well as for all those seeking legal representation in Northern Ireland. We as the United Kingdom government are determined to play any part we can and work with the profession here, to support Northern Ireland to bring as many diverse appointees onto the bench as possible.

My hope is that we can work towards a future where diversity is embedded right across the justice systems of the United Kingdom. By doing so and raising visibility of hitherto under-represented groups, we can ensure that people from *all* backgrounds feel that they are an active part of the justice process – that they too have a stake in how justice is done. This is just one of the ways that we can make the system as fair as possible.

The rule of law/judicial independence

Fairness is of course crucial to a well-functioning justice system. As any new legal year begins, my thoughts turn to the principles at the heart of the legal systems operating within our United Kingdom – judicial independence and the rule of law in particular. They are ideals which protect the public from harm and guarantee the equity that underpins confidence in trade, as well as helping society to solve a range of disputes.

When I took office, I swore to uphold the rule of law and to defend the independence of the judiciary – it is a promise that I take extremely seriously and, as a former part-time Recorder myself, it is one about which I am very passionate. It was important to me to take my oath in both English and in Welsh and it strikes me that I am a Lord Chancellor from Wales, who represents a constituency in England, here celebrating the opening of the Legal Year in Northern Ireland – perhaps we can take that as a small win for diversity!

It has of course been quite some time since the Department of Justice within the Executive took operational control of the courts here in Northern Ireland. However, my department continues to have responsibility for judicial pay and pensions, and as part of my oath, I believe I have a duty to ensure that the bench in Northern Ireland, as well as in England and Wales, continues to be able to attract the best judicial candidates – those who can uphold the rule of law and will remain independent of any outside influence on their decision-making in the best interests of justice.

That is why the government at Westminster introduced the Public Service Pensions and Judicial Offices Bill to the UK Parliament in July. We look forward to working with parliamentary colleagues, including those representing constituencies in Northern Ireland to pass an Act that truly recognises the huge contribution of the judiciary in maintaining freedom and fairness throughout the United Kingdom.

COVID-19

That contribution is difficult to quantify and yet it is easy to see just important it is to the fabric of our society. I think that has been particularly stark during these last 18 months which have, of course, been some of the most difficult that justice systems not just across our union but across the world have experienced.

I know that, just like in England and Wales, the system here in Northern Ireland has had to adapt to new and different ways of working in order to keep people safe, including the introduction of social distancing measures and the harnessing of video and telephone technology to enable a huge increase in the number of remote hearings.

I want to take this opportunity to thank the judiciary here, as well as the legal professionals and everyone working in and involved with the system in Northern Ireland, for everything you have done and continue to do to keep the wheels of justice turning. I look forward to meeting with your own justice minister, Naomi Long while I am here, and I am quite certain that we will discuss the ways in which the changes that were necessary because of COVID-19 could help us to make justice work better in the future.

Close

As we look ahead to a new year in the law, I hope you can do so with optimism – about the huge amounts of progress that have been made on diversity in the century since Northern Ireland came into being; about the crucial part you each play in maintaining the freedom and fairness that characterises our society; and about the possibilities that exist for us all to learn lessons from the pandemic that will improve justice outcomes for generations to come.

I wish you all the very best for the legal year ahead!

Thank you.

ENDS