



PRESIDENT OF THE
QUEEN'S BENCH DIVISION

THE RT HON. SIR BRIAN LEVESON
HEAD OF CRIMINAL JUSTICE

Valedictory Speech, 21 June 2019

Can I start by thanking the Lord Chief Justice, the Attorney General, the Chairman of the Bar and the Vice President for their exceptionally kind and, in my judgment, over-generous words. I also thank all of you for attending at this very early hour. I prefer to think that you have not come simply to make sure that I am leaving the premises but, for those of you who have doubt, you need not worry further. A meeting of the Judges' Council and a further meeting and that is the end of that.

It started 70 years ago in Liverpool. The son of a doctor none of whose family had ever entered the law, my mother was keen that I joined the same profession as my father, my uncle, my aunt, a cousin and, although they did not know it, subsequently, a son. I had watched Boyd QC which ran from 1956 to 1964 and starred Michael Denison who was no relation to the Common Serjeant, Neil Denison. I found it fascinating and although I studied science for A levels because my mother nurtured the hope I might change my mind, the only time I nearly did was revising Roman Law which required an ability to translate Gaius and Justinian from Latin.

I was called when I was 21 and simply got on with it. My pupil masters in Liverpool were Eric Goldrein who is now 98 and, in London, the late Roger Cooke in London but I decided to Liverpool to practice and joined a chambers of 10 others, 8 of whom subsequently joined the judiciary. I did everything that came through the door and thoroughly enjoyed it. Although I gave up family law when asked proceedings under the Married Women's Property Act to split a cruet set and to divide a case of lavatory paper, I regret the modern tendency to specialise. The value of appearing in every type of case gave an increased experience of advocacy and increased insight into those whom the law troubled. I found both very valuable. Neither of my parents, represented today by my brother and sister survived to see my real success as a junior, let alone my appointment as an Assistant Recorder in 1984 or beyond.

In 1986, after 14½ years as a tenant, I took silk and moved chambers to Manchester. That consisted of seven years on the greatest circuit of all – the Northern circuit. As to that I will brook no challenge. Then, 7 years in London.

On 23 October 2000, I became a judge of the High Court. On the following day, when a less formal welcome was heard in what was my court, I observed that whether I could do another 14½ years remained to be seen. In fact, it is 4 months short of 19 years. I then set myself the task of trying to do the work not only without fear or favour, affection or ill will but also with humanity, courtesy and understanding. Whether I have done so is, as I used to tell juries, a matter for you.

Becoming a Queen's Bench judge was truly the limit of my ambition. It was to try the same type of cases that I had spent 29 years arguing – to understand the challenges that those who trouble the law faced, many caught up in real life calamities which they barely understood, to work out why and help resolve issues whether between the state and the citizen in crime and public law or between citizens in civil jurisdictions. Then I became involved not only in the micro of this or that case but the macro of how the system worked and should work, spending four years as a presiding judge back in the North and enjoying the new responsibilities that judicial management brings.

Being asked to be Deputy Senior Presiding Judge and then Senior Presiding Judge took me entirely by surprise, but more was to follow all of which provided a variety of work and experience which I simply never visualized. Setting up the Sentencing Council, undertaking that Inquiry and then as President of the Queen's Bench Division, with another Review but, much more important, involvement with the phenomenally able group of Judges who sit in the Queen's Bench. Their energy, their enthusiasm and the sheer hard work that they all put in has made it the very greatest of privileges to be their Head of Division and I pay tribute to the enormous contribution that they, and all judges of every rank have made to our system of justice and to the protection of the rule of law. I hope nobody will take it amiss if I also specifically mention the Court of Appeal where I have resided for the nearly 13 years and if I reflect on the fantastic opportunity which sitting in that court has brought, along with the collegiality and friendship of the judges with whom it has been an incredible privilege to sit engaging in the stimulating exercise of a joint effort necessary to solve the challenges put before the court. People think that being a judge is a lonely occupation. Nothing could be further than the truth.

More seriously, I would have loved to say that I was leaving the system and, in particular, the criminal justice system in a better place than it was when I started my career nearly 50 years ago. In many ways, it is. Consider the enormous strides in procedure, in PACE, in disclosure, in dealing with vulnerable complainants, victims, witnesses and, indeed defendants. Consider also the efforts made to deal with the challenges of technology and ensuring consistency of approach to sentencing. But in other ways it is not. The truth is that many facets of the system are struggling. Crime is not being detected; volumes through the court are decreasing. The police, forensics, the CPS, the fabric of the court, the prison and probation service, all are struggling. Remuneration for legal services in crime and for advice and representation in other areas of public law creates real challenges which I have no doubt need to be addressed. All I can add is that there is some hope that the recent discussions between the Attorney, the Ministry, the Bar and the Law Society will be positive and, in addition, that the forthcoming Spending Review will look at the criminal justice system holistically and address some of these problems.

Turning to other matters, please discount much of what the Lord Chief and the others have said but, for that part of what has been said that has a kernel of truth, there are lots of others involved in everything I have done. Many have worked far above and beyond the call of duty to help achieve what has been achieved – which goes for my clerks and my teams, both in my private office and beyond. My successor, who has supported me so unstintingly, will have a great team. Shorthand writers, ushers, all have played their part and I am grateful. If I were to name them all, those from the Sentencing Council, the Inquiry or the Review, I would be here a long time, so forgive me if I simply collectively thank them all. They deserve to take a great deal of any credit that is going.

Then there were those who trusted me and gave me the space. Five Chief Justices, Harry Woolf, Nicholas Phillips, Igor Judge, John Thomas and lastly the present Chief. It was great to work for each of them, even when we did not always agree!

Finally, and really overwhelming everyone else, I must thank my wife, and my children. I repeat word for word what I said on 24 October 2000. They have continued to put up with a great deal over very many years – now many more years! They have kept my spirits up when that was necessary and brought me down to earth on more occasions than I perhaps thought absolutely essential. I have been told more than once to ‘get a life’ and my wife, in particular, has tried

hard to see that I do. I could not have done a small fraction of what I have done without them.

There it is. I ended each of the two lectures I gave last week with words which I now repeat: I will look on with great interest to see what the future has in store. I wish you well – the future is in your hands.