

Swearing-in Ceremony
The Lord High Chancellor of Great Britain, Her Majesty's Attorney
General and Her Majesty's Solicitor General
23 September 2021

It is our great pleasure to gather this afternoon to receive the oaths and declarations of the Lord High Chancellor of Great Britain, Her Majesty's Attorney General and Her Majesty's Solicitor General. This is the first time since 2010 that the holders of all three offices have gathered in this court to swear oaths and make declarations at the same time. All three offices are central to the administration of justice in England and Wales and of great antiquity. Nobody appears to be entirely sure when the first holder of the office of Lord Chancellor was appointed, but there is no doubt that it has been in continuous existence since the Norman Conquest in a way which we would recognise, albeit evolving as so much does under the British constitution. But it has Saxon origins. The office of Attorney General is of less antiquity with its origins a little obscure; but it is traceable with certainty to the middle of the 13th century. The office of Solicitor General can be dated with more confidence to the middle of the 15th century and is something of a parvenu in constitutional terms.

My Lord Chancellor, your appointment marks something of a home coming. That is because after being elected to the House of Commons in 2010 as Member of Parliament for Esher and Walton and serving on the Joint Committee on Human Rights and others you were appointed Parliamentary Under-Secretary of State at the Ministry of Justice where you served from 2015 to 2016 with particular responsibility for civil liberties and human rights. And then you returned following the general election in 2017 as Minister of State for Courts and Justice. We worked together

following my own appointment four years ago but only for a short time because in January 2018 you moved to the Ministry of Housing, Communities and Local Government as Minister of State. In July that year, you became Secretary of State for Exiting the European Union and then in July 2019 you were appointed Foreign Secretary.

You are a man of Buckinghamshire and after school at Dr Challoner's Grammar School in Amersham you read law at Lady Margaret Hall Oxford. Then you went to Jesus College, Cambridge for a masters degree where you won the Clive Parry Prize for International Law. My research does not reveal any involvement in university politics but as is extremely well known, not least because of the frequent use of a photograph beloved of the media but perhaps less so by you, you were a keen sportsman, captaining the university karate team and also rowing to a high standard. I am told that to this day if your office can't immediately find you, the chances are that you will be in the gym.

After Cambridge you joined Linklaters as a trainee and qualified as a solicitor. 3½ years ago, on the appointment of David Gauke as Lord Chancellor, much investigation was undertaken on all sides to determine whether he was indeed the first solicitor to be appointed Lord Chancellor. There was a question mark about whether a 19th century predecessor, before being called to the bar, had been admitted as a solicitor. I satisfied myself that he was indeed the first solicitor Lord Chancellor and was neither contradicted by the President of the Law Society nor aggressive tweets. I can note therefore that you are the second. But you did not remain inside the marble halls of a magic circle firm of solicitors for long. You moved to the Foreign Office as a legal advisor; and there you stayed until 2006 when, responding to the call of

politics, you became chief of staff for the Shadow Home Secretary David Davis MP and later to the then Shadow Secretary of State for Justice, Dominic Grieve MP until your own election.

It is always tempting to look for firsts in a newly appointed Lord Chancellor. I wondered whether you were the first Foreign Secretary who had earlier served as a civil servant in the Foreign Office. But I knew that was not the case because Douglas Hurd started life as a diplomat. I also wondered, but only for a moment, whether you were the first Foreign Secretary to have gone on to be Lord Chancellor. But I also knew that was not the case. Jack Straw is a recent example of a Foreign Secretary who went on to be Lord Chancellor, but he was not the first. Viscount Simon, Lord Chancellor throughout Churchill's wartime administration, had been Foreign Secretary in the 1930s. But I think I can say with confidence that you are the first Secretary of State and Lord Chancellor who has served in the Ministry of Justice as a Parliamentary Under-Secretary of State, a Minister of State and now Secretary of State.

The role of Lord Chancellor remains central in the constitutional firmament of this country, despite the changes in the role which were brought about by the 2005 Constitutional Reform Act. The statutory oath we have witnessed has distinct parts directed to the rule of law, the independence of the judiciary and the provision of resources for the efficient and effective support of the courts. The three are interlinked. The rule of law becomes fragile if the independence of the judiciary is not respected and, when necessary, defended; or if the resources made available are inadequate to enable the courts to function properly. The timing of your appointment, my Lord Chancellor, is exquisite because it comes in the course of the spending review discussions between all departments and the Treasury.

We have confidence in your powers of persuasion and your advocacy skills.

It has been my personal pleasure since becoming Lord Chief Justice to work closely, harmoniously and I hope effectively, with your three immediate predecessors. The problems and challenges that we face in the administration of justice have been magnified by the Covid pandemic. The practical difficulties and risks still resulting from Covid are well known and reflected this afternoon in the fact that we have relatively few people in court but well over 100 joining us via video link. In the short time since your appointment, we have begun to discuss matters of immediate concern. I look forward to working with you in the years to come to achieve our common goal not only to sustain the administration of justice but to improve it.

Madam Attorney, it seems but a blink of the eye since many of us were in this court to receive your declaration on your original appointment as Attorney General. It was in fact in February 2020. I think for many of us the intervening months have been so frenetic that they have passed in a blur. Yet as all those present will know, in early March 2021, with the benefit of a new Act of Parliament, you went on maternity leave. I shall not repeat what I said in February 2020 in welcoming you, but it was with absolute delight that we received news of the birth of your daughter in March. I think we achieve a new record today. In February 2020 your son was the youngest attendee at a swearing-in ceremony at the Royal Courts of Justice but I think his sister has pipped him to the post (and like her brother she has behaved impeccably).

Mr Solicitor, we welcome you on your appointment as Solicitor General. Until last week we were expecting to see Michael Ellis QC MP here today to make his declaration as Solicitor General, having reassumed that office on 10th September when the Attorney was reappointed to hers. He was in office for only six days before he was appointed Paymaster General. But his promotion provided the occasion for the promotion of our new Solicitor General and your concurrent appointment as Queen's Counsel. Mr Solicitor you started out as an historian, reading Modern History at Magdalen College Oxford. You converted to law thereafter, with distinction, and were called to the bar by Middle Temple in 2001. Before entering Parliament as MP for Cheltenham in May 2015, you were a criminal specialist in 6 KBW, College Hill where your practice included homicide, counter-terrorism and serious fraud cases. I am delighted to see your pupil mistress is in court today, now Mrs Justice Arbuthnot. In parliament you served on the Justice Select Committee where I enjoyed your courteous questioning, before being appointed in February 2020 as Parliamentary Under-Secretary of State at the Ministry of Justice. You will bring the skills and experience of a barrister, a parliamentary inquisitor and junior minister to the demanding and important role of Solicitor General.

Lord Chancellor, Attorney General, Solicitor General on behalf of the judiciary may I congratulate you all on your appointments and wish you well as you assume or reassume these vital constitutional roles central to the rule of law and administration of justice in our jurisdiction.