

Swearing-in Ceremony
The Lord High Chancellor of Great Britain, His Majesty's Attorney
General and His Majesty's Solicitor General
29 September 2022

It is our great pleasure this morning to receive the oaths and declarations of the Lord High Chancellor of Great Britain, His Majesty's Attorney General and His Majesty's Solicitor General. All three offices are central to the administration of justice in England and Wales and of great antiquity. The origin of the office of Lord Chancellor is lost in the mists of time and has its roots in Saxon times but has been in continuous existence since the Norman Conquest in a way which we would recognise, albeit evolving as so much does under our constitution. The Lord High Chancellor retains the exalted position in the order of precedence of the United Kingdom, second only to the Archbishop of Canterbury, by virtue of the historical and constitutional position he holds. It was a role held predominantly by churchmen until the sixteenth century. That is why so many amongst Lord Chancellor Lewis's predecessors, but none I think of his cabinet colleagues, became saints although the list stretching back 900 years includes some obvious sinners including one or two who held both his office and mine in series.

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 role of Solicitor General can be dated with more confidence to the middle of the 15th century and so in this company represents a constitutional newcomer.

My Lord Chancellor, you started your adult life as a lawyer after reading economics and law at Buckingham University and then undertaking a masters degree in Commercial Law at King's College London. After being called to the bar by Inner Temple you undertook a pupillage but, I understand, decided that the attraction of a life in business was more tempting than developing a career as a barrister. That said, your connections with the law and grounding in constitutional and legal issues provide a valuable foundation for the responsibilities you now hold.

Your political experience is deep and wide-ranging. It started in local government with election as a Borough Councillor in Brentwood in Essex in 1998 becoming leader of the Council in 2004 and remaining in that position until 2009. In the meantime, you were selected as prospective parliamentary candidate for Great Yarmouth and elected to Parliament in the general election of 2010. Ministerial office soon followed first as Parliamentary Under-Secretary of State at the Department for Communities and Local Government in 2012, then as Minister of State in the same department in 2014 with responsibility for housing and planning before moving to the Home Office as Minister of State with responsibility for the police and fire services in 2016. A period as Chairman of the Conservative Party then followed between 2018 and 2019 before a return to the Home Office as Minister for national security. Between February 2020 and early July 2022 you served as Secretary of State for Northern Ireland and assumed your present office on 6 September.

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 underpins all social and commercial life in the country. It is vital to the prosperity of the nation. The independence of the judiciary is a central component of the rule of law which is undermined if the independence of the judiciary, personal and institutional, is not respected and, when necessary, defended. The rule of law is eroded if the resources made available are inadequate to enable the courts to function properly. Governments never have enough money to do all that they would wish. It is perhaps not unfair to say that justice has suffered more than it should have done over the last decade. We look forward to admiring your powers of persuasion and advocacy skills in your dealings with the Treasury.

It has been my personal pleasure since becoming Lord Chief Justice to work closely, harmoniously and I hope effectively, with your four immediate predecessors. The problems and challenges that we face in the administration of justice were exacerbated by the Covid pandemic. Outstanding caseloads in many jurisdictions remain worrying high and a great deal of work is being undertaken to improve the throughput of cases to bring down backlogs and improve timeliness. That work requires the calm cooperation of all the major players in each jurisdiction and, critically, the policy, legislative and political support of the Ministry of Justice and its ministers. We have interesting times ahead, my Lord Chancellor.

Mr Attorney, this is an occasion to say “welcome back”. We had the pleasure of receiving your previous declaration as Attorney General on 11 March 2021 after you succeeded Suella Braverman while she was a minister on maternity leave. You had, of course, before then been Solicitor General since July 2019. Mrs Braverman was reappointed as

Attorney on 10 September 2021 and in turn you were reappointed Solicitor General. But not for long. You were in office for only six days before promotion to Paymaster General. There was no time even to receive your renewed declaration which was to take place the following week. If it comes as any comfort, my researches suggest that your six days in office was not the shortest of a Solicitor General. That accolade goes to Sir John Jervis in 1846 who held office for only three days before being promoted to Attorney.

This is quite a day for the University of Buckingham because like the Lord Chancellor, you read law there. You were called to the bar by Middle Temple in 1993 and practised at the criminal bar predominantly in Northamptonshire, from where you hail and have represented Northampton North in Parliament since 2010. Your ministerial roles include time as Parliamentary Under Secretary of State at the Department for Culture Media and Sport and Minister of State at the Department for Transport following time as a whip. Those purely political posts aside, you are now well-seasoned as a law officer doubly as Solicitor General and doubly as Attorney General.

Mr Solicitor, we welcome you on your appointment as Solicitor General. You too were called to the bar by Middle Temple, a Queen Mother Scholar, but had read classics at King's College London before undertaking the postgraduate diploma in law at the College of Law. You practised from a strong Western Circuit set, 3PB Chambers, and developed a broad common law practice including planning and public law. You also undertook pro bono legal projects in Rwanda and Sierra Leone. You continued to practise after you were elected to Parliament as member for Mid Dorset and North Poole in 2015 until your appointment

as a government whip in 2020. Until your appointment as Solicitor General you were Vice-Chamberlain of the Household.

I am told that you have a distinction which marks you apart from other law officers. You once played cricket for Herefordshire against Dorset. There are many here who would be impressed by that but less so when they learn that somehow you neither bowled nor batted in the course of the match.

I have recounted before at one of these ceremonies that observation of Sir Patrick Hastings, Attorney General in the short-lived labour Government of 1924, that “to be a law officer is to be in hell”. What he had in mind, I suspect, is that the Law Officers are politicians whose main functions are not political. When giving legal advice to Government it must not be tinged by political considerations and much of the rest of their important work is performed in the public interest free of political considerations. Put another way, it is inherent in the role of law officers that they will have to disappoint their colleagues from time to time. But what a job for any lawyer who is a parliamentarian.

My 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. We look forward to working with you.