

**BARONESS CARR OF WALTON-ON-THE-HILL,
LADY CHIEF JUSTICE OF ENGLAND AND WALES**

Ontario Superior Court of Justice Conference, 6 May 2026

1. Good afternoon and thank you to Chief Justice Morawetz for the invitation to speak today. It is particularly special to be here in the last few days of your tenure. We first met in Qatar in early 2024, although I was, of course, already aware of your record of achievements as Chief Justice of the Ontario Superior Court of Justice. I would like to offer my congratulations for your very successful term and to wish you well in your new endeavours. I would also like to thank Justice Graeme Mew in particular for his preparation and advice prior to this visit. Graeme and I go back many years, including to our time together at 4 New Square Chambers. So it is a pleasure to be here among friends. Across the board, I have received a very warm, and dare I say polite, welcome to your country. Although as a British visitor to Canada, this is something I have come to expect, usually accompanied by a “thank you for coming” and at least one apology for the inconvenience.

2. Our two countries are close allies, not just in mannerisms but also across a spectrum of institutions – governmental, commercial and judicial. Thus our collaboration often feels both natural and inevitable. Indeed, Canada is our only fellow Commonwealth member that also holds membership of the G7, G20, NATO and Five Eyes, institutions which are themselves built on a firm belief that we are stronger together than apart, and that the issues faced by the world today extend far beyond the remit of any one nation state.

3. We share many things: a democratic system built around the separation of powers; a head of state; a common language; a free and fearless press; the right to express opinions, however unpopular; as well as the looming threat at every turn of... inclement weather. And, of course, an independent judiciary, striving every day to work, without fear or favour, and with impartiality and integrity.

4. That judicial commonality creates a valuable bedrock for sustained knowledge-sharing and respectful scrutiny of the ways of doing things in both countries. And over the years, the judiciaries of Canada and England and Wales have enjoyed significant collaboration in events such as the Cambridge summer lectures for the Canadian judiciary (at which I had the pleasure of participating alongside Chief Justice Wagner last year) and cross-jurisdictional visits, such as the security-focused visit of our incoming Senior Presiding Judge, Lady Justice Yip, earlier this spring.

5. Each of our countries have more than one official language and [we recognise the richness but also the complexities that this can offer to official processes] et nous reconnaissons la richesse, mais aussi les complexités que cela peut apporter aux processus officiels. The right to bilingual proceedings is, to echo the words of the Honourable Michel Bastarache, “fundamental” and not a “mere accommodation”. In February, our Welsh-language liaison judges visited Ontario and New Brunswick courts. They returned with recommendations for how the work of a Canadian judiciary can inform further enhancements of bilingualism in the UK. HHJ Mererid Edwards and HHJ Hywel James concluded their report to me by emphasising that

“meaningful change requires sustained institutional commitment, rather than reliance on individual enthusiasm.”

6. While taking heed of their words, *my* individual enthusiasm was also undeterred. And I am continuing my pledge, made when I became Lady Chief Justice back in 2023, of learning Welsh. It is a notoriously tricky language for the beginner (there are many, many consonants and, what I see as unintuitive spellings, although you could level the same accusation at English). French comes more easily to me, although I promise I won’t deliver this full speech in two, let alone three, different languages today.

7. We both oversee societies that showcase the significant successes of multiculturalism. Prime Minister Mark Carney in his younger years described Canada “as a union born of collaboration between England and France.”¹ We should, of course, add to that the First Nations peoples and more recent generations of immigrants, which have created a cosmopolitan and varied society and one that remains rooted in liberal democracy. Much like the United Kingdom. Suffice to say that we particularly value our long-term relationship with Canada, who has proven herself a constant, reliable, stable presence; sharing our core social values over many years.

¹ Cited in Elliott Dumoulin, ‘Mark Carney’s delicate balancing act at Canada’s helm’, *Le Monde*, 18 March 2026

8. Queen Elizabeth II often said that a journey to Canada felt like coming home and, in much more modest terms – as I am certainly not anyone’s head of state – I like to think similarly. My step-grandfather, James Armstrong, was Agent General for the province of Ontario for 23 years, representing its interests in the UK and playing a role in strengthening communications between the two countries over a period of more than twenty years. During his time in this role, he worked in the magnificent Ontario House in London, and I have fond memories of his tales of official visits to Ontario in snow up to four-feet deep.

9. As a very little girl, I spent summers on Lake Muskoka, and as a teenager I stayed with family in Montreal, a stunning city that combines the urban environment with a majestic mountain, and up in Murray Bay. I still have family in Montreal, Toronto and Vancouver. So, while a meeting of minds such as today’s is a source of professional pleasure, it is also a personal pleasure to enjoy the breathtaking scenery and cosmopolitan offerings of Ontario.

10. But while we can enjoy the relative safety and stability of our own locales, we must acknowledge that the world is more unpredictable now than ever. There are growing challenges – such as climate breakdown, the rise of populism, autocratic regimes, technological change and political disaffection. We have seen the rule of law compromised abroad and must not be complacent in the fact of it being upheld in our own jurisdictions. The only way to ensure that the rule of law remains strong is to help it to be respected across society and, for it to be respected, it must be understood.

11. Today I would like to consolidate our two jurisdictions' commitment to upholding and championing the rule of law as a basic requirement without which no society can be prosperous. Respect for law, and an independent judiciary to ensure adherence to the law, is essential for all other forms of society to function and flourish.

12. In recent history, Canadian and British judges have been erudite on this point. Beverley McLachlin, my fellow female pioneer in Chief Justicing (if I can coin that as a verb) argued, "The rule of law and independent, impartial and effective justice are fundamental preconditions of personal flourishing, economic activity and a stable prosperous society."² While in the UK, Lord Neuberger acknowledges that without the rule of law, it would be nigh on impossible "to deliver in any reliable way the other modern functions of government – such as social security, health, education, indeed, human rights"³. More recently my colleague, Sir Geoffrey Vos, Master of the Rolls, expanded the argument that, while those of us in the legal professions recognise and support "the rule of law", the expression is of less use to those outside the professions⁴. He is readying himself for well-deserved retirement, but I would urge you to muse on this point too, so important is it to furthering our cause. Like him, I believe that we need to counteract any narrative of judges *imposing* the law with an emphasis that our role is actually to *guard* against

² Beverley McLachlin, 1st female and longest-serving Chief Justice of Canada, in 2019

³ Lord Neuberger Keynote speech at 'Justice for all' series, 30 October 2025

⁴ [Speech by the Master of the Rolls: Alliance for Lawyers at Risk event - Courts and Tribunals Judiciary](#)

violations of it. We are not in the business of creating obstacles to citizens' ways of life. Instead, we act as facilitators, ensuring that the freedom to live with fairness and safety is granted to all across society.

13. Happily, this is a task that we need not take on alone. Respecting and upholding the law must be an act of collaboration between the Government, media, justice systems and civic society. But let us turn to the part that lies firmly within our turf – the judiciary. This is where we have the levers to generate change where needed and respect constancy where necessary. And let us not forget that constancy in the judiciary, away from political sway, five-year government terms or shorter-term thinking, is one of its great strengths. In the end, the rule of law is only as effective as the fortitude and independence of the judiciary that upholds it. Therefore, it is imperative that our courts act with integrity, stay resilient against political pressure and, most importantly of all, command public confidence.

14. By learning together, sharing ideas and best practice, as well as honestly reflecting on failures, we can strengthen the British and Canadian judiciaries. There is much to learn from both jurisdictions.

15. Our strong respect for the rule of law requires constant vigilance to maintain and, in an ever-changing world, we must move with the times. **So today I would like to reflect on what it takes to run a thriving judiciary in the twenty-first century.** It is a key question for us all as liberal democracies on both sides of the Atlantic.

16. First, let me give a brief overview of exactly what my own role entails and what my responsibilities are for the judiciary of England and Wales. I became Lady Chief Justice – the head of the judiciary of England and Wales – in October 2023. As part of this, I have more than 400 statutory duties, spread across three broad roles. First, judging, the day job, sitting on the most significant cases of the day in all jurisdictions – civil including public law, crime and family. Secondly, I am the judiciary’s ambassador to the outside world. I give evidence to Parliament at least twice a year, have external engagements with the British Prime Minister, the Lord Chancellor and the Home Secretary. There is also, happily for me, and centrally for judicial independence and the rule of law, no fixed term...it would take a vote from both Houses of Parliament and the monarch to get rid of me. And finally, I lead more than 22,000 judges including magistrates, with my responsibilities to them spanning from deployment to wellbeing and training and security.

17. As sitting judges yourselves, you will recognise that the judiciary is working in a more challenging arena than ever before. Judges make the most difficult decisions, that others simply do not want – and are not equipped – to make. I take my responsibility for their continued wellbeing in England and Wales extremely seriously and at the end of last year, I was delighted to celebrate our inaugural judicial wellbeing day. Introducing the day to our judges, I reiterated that bringing issues forward – even when they are unpopular or uncomfortable – is a sign of strength, not weakness. Talking about our wellbeing is fundamental to maintaining a culture of transparency and trust across the judiciary, as well as keeping us equipped for

the many challenges of our roles and the moral courage and resilience they require. On that wellbeing day, some of my colleagues and I participated in an early gym session in the Great Hall of the Royal Courts of Justice in London. In January this year I sang Gilbert and Sullivan's *Trial by Jury* with other judges and the Old Bailey choir at the Old Bailey itself. Events such as these, as well as our expansion of informal judge networks, enable the judges of England and Wales, I hope, to benefit from the collegiate conviviality of their fellow judicial office holders, to ease the burden of decision making and to spread the volume of work.

18. In addition, a constant evolution of high-quality judicial training enables our judges to update their knowledge, share their frustrations and adapt with the ever-changing common law of the day. At the Judicial College in London we train 24,000 judicial and legal office holders a year, and last year provided 1,700 training events for 31,000 attendees. All of which serve to cement the foundations of our judges' legal expertise and personal integrity; protect both their own wellbeing and confidence in their abilities; and bolster their authority in the eyes of the public. Without the strength of judges, we have no strength in the judiciary.

19. So, how can we understand the qualities required to run a thriving modern judiciary? I often like to take inspiration from literature; it offers the best experiential example of the mantra "show, don't tell", because it immerses us into the worlds of others. This will be familiar to all of us as part of the daily discipline of judge-craft. Happily, I am in good company here because, once again, McLachlin explains the judge's work beautifully in stating that it is "an act of the imagination, (you) put

yourself in the shoes of the different parties and think about how it looks from their perspective”⁵ – and how perfectly does this align with the experience of reading literature?

20. Here we are in the home country of one of the world’s greatest living authors. The novels of Margaret Atwood can help us to frame our understanding of judicial success. Many of these novels – from *The Edible Woman* to *Life Before Man*, through to *The Blind Assassin* and *Alias Grace* (which even gives us the added bonus of contemporary legal proceedings) – take place in a realist nineteenth- or twentieth-century Canadian setting. Clearly Atwood’s works contain heartbreak, misogyny and conflict. However, the country underpinning their scenes is shown as imperfect but durable, sometimes slow to change but bolstered by constraints on absolute power, with a modest resilience against the worst events of the last two centuries. Furthermore, Atwood’s stories unfold and refine themselves over time, much like the common law. This interrogation of evidence and reflection on its meaning are judicial characteristics writ large.

21. My belief is that a successful modern judiciary revolves around **five focal points**, rooted in the constitutional responsibilities of the courts and the conditions necessary to fulfil them. These points are threaded through Atwood’s various works. They are: **a clear understanding of purpose, the right people, sufficient funding, communication and accessibility, and finally, resilience.**

⁵ Beverley McLachlin, quoted in Joseph Brean, ‘Conscious objectivity’: That’s how the chief justice defines the top court’s role’, *National Post*, 23 May 2015

22. So, what is the judiciary's purpose? As Lord Pannick put it: "Judges do not have an easy job. They repeatedly do what the rest of us seek to avoid: make decisions."⁶ Our purpose is to support and give effect to the rule of law through determining and vindicating rights. In this way we apply the common law as it develops and give effect to the will of Parliament. That involves explaining the law, interpreting the law and developing the law. We should be aware that the general public, even our own politicians, may know very little about the rule of law, the development of the common law or how the different levels of courts work together. Unravelling this complexity is part of our duty. In unravelling the story of her youth, the protagonist of *The Blind Assassin*, Iris, gradually unveils evidence and so the reader revisits their conclusions frequently as more of her story comes to light. Not unlike the judicial explanation, interpretation and development through which public understanding can grow. It follows that, with the assistance of the media, the everyman or woman is able to debate the law's meaning and purpose, providing opportunities for education and promoting democratic deliberation.

23. And how does that purpose manifest? In deciding disputes according to the correct interpretation of the law, as applied to proven facts, without fear or favour, affection or ill-will.

⁶ [Judges – David Pannick - Google Books](#) (1988)

24. Once we know our purpose, we can establish what needs to be done to give effect to it. The essential ingredient underpinning this is my second element: the right people.

25. The right people are needed to direct the judiciary towards its ultimate purpose, and they must have a clear idea of how to achieve the judiciary's aims. Across both our jurisdictions appointments are entirely merit-driven, because quality is key. We should not pretend that judging is a scientific application with a concise formula – it can be difficult, it can be messy and it can be intellectually intensive to make decisions. Because the correct outcome cannot be guaranteed, it is a matter of real importance that those appointed to the bench have the necessary skills and integrity.

26. Reflecting on judicial character, in England and Wales we distil it into three core values: independence, impartiality and integrity. While embodying these, judges must be open-minded always, show an ability to empathise with others' points of view (which is why I believe reading helps judges so much!) and be willing to change their mind. And a keen listening ear and an ability to cede the floor of the courtroom to others is key, as our host Chief Justice Morawetz has noted "the main thing to learn is listening. Being objective requires patience."⁷ Margaret Atwood often calls on an unreliable narrator – from Grace's competing versions of evidence in *Alias Grace* to Marian's heightened discombobulation in *The Edible Woman* – and these narrators can help us acclimatise to the discernment that's required of judicial

⁷ [Ontario Chief Justice Geoffrey Morawetz on transforming the courts | Law Times](#)

decision-making. Just as readers of Atwood will make up their minds about the viability of her characters' accounts based on their conduct and contradictions, judges will make up their minds based on what they hear in court.

27. I often say that, as head of the judiciary, my greatest asset is the judges themselves. And each of our judiciaries pride themselves, quite rightly, on the incredible talent of the people within them. Judicial recruitment is a key priority for me in ensuring that we have the right people and they are able to flourish. This does not mean everybody has to agree. On the contrary, we need diversity of thought so that we can promote the circulation of ideas, test them, choose the best, and then implement them. It is important that the people appointed are those that not only understand the purpose of the institution but also have a vision for reform and improvement. Much of this is what I can see us achieving in visits such as today's and the Cambridge lecture series.

28. I cannot speak for Ontario but in England and Wales the make-up of our judiciary does not yet match that of wider society. While we are travelling in the right direction of greater representation of women, ethnic minorities and professional backgrounds, there is a long way to go. However, I am absolutely committed to a modern, diverse and inclusive judiciary that upholds our values of integrity, fairness and respect to all. In spite of its impartiality, a judiciary that does not reflect the society it represents remains unlikely to garner trust from all members of that society. I am pleased that, last summer, we crossed the threshold to publish our data on judges with a disability for the first time. In the past year new

associations for black judges and for disabled judges have been established, associations that I am confident will provide a unifying and primary voice for these judges, as well as a sense of belonging.

29. As a side note, securing the right people and demanding excellence does not mean that human error is unavoidable. Even those with excellent judgment have their moments. One favourite example of mine is the judge at Knightsbridge Crown Court who, in 1981, allowed a defendant being tried for robbery to pop out for lunch. He urged the defendant to be back by 2pm, otherwise, he said "you will make me look a proper Charlie." By late evening, the police were still looking for him.

30. Finally, the right people must be aware of their value to the institution and must feel safe while undertaking their work. This is a basic human right and one which judges, as can-do people who are simply getting on with the job, can sometimes overlook. I have been quoted prolifically on my concerns about judicial security, but it remains at the heart of my priorities. The online abuse, and sometimes even physical threats, that judges have encountered are not acceptable and never have been.

31. Once more, I believe that we can learn much from your jurisdiction in this area. In fact, judicial security was the focus of Lady Justice Yip's recent visit here. She returned from that trip with a strong sense, as I have iterated already, of the many common values and circumstances of our two countries and the extensive benefits of knowledge-sharing. We hope to continue this shared learning on judicial

security so that both jurisdictions can benefit and accelerate their good work. So, I am very grateful – thank you- for the brilliant collaboration underway in this area.

32. The right people are needed to take our institutions in the right direction. That requires ensuring the greatest diversity in the pool and offering effective opportunities for development. Which, in turn necessitates commitment and resources. This takes me to my third element: money.

33. Today, English and Welsh law is a high-value economic contributor to British life. Total revenue from legal activities in the UK amounted to £52.3 billion in 2024, ranking it as the second country globally for legal services revenue. Meanwhile the legal sector employed around 364,000 people in 2023⁸. Our justice system is core to the UK's status as one of the leading financial centres in the world, as well as providing secure, satisfying employment for many across the country. Similarly, the Canadian legal sector was worth around CAN\$37 billion in the same year⁹.

34. To keep making this contribution and innovating for the twenty-first century, our judiciaries need sufficient funding. It must be sustainable over the long term, so that the system can continue to grow as needed where litigation becomes ever-more complex. The Master of the Rolls predicts that advances in AI will lead to many more civil claims made in coming years¹⁰. While we can use AI to innovate in responding

⁸ [UK legal services 2025: Legal excellence, internationally renowned | TheCityUK](#)

⁹ [Canada Legal Services Market Size & Outlook, 2030](#). 2024 value US\$27bn = CAN\$37.08bn (1.37 ex. rate)

¹⁰ [Speech by The Master of the Rolls: Justice for all, justice for the accused - Courts and Tribunals Judiciary](#)

to these to a degree, the funding must be in place to ensure that human judgment remains at the core of operations, and that capacity can grow with increased litigation.

35. In England and Wales, the judiciary negotiates its funding with the Ministry of Justice as part of a larger budget that covers the whole justice system, including prisons, probation and legal aid. We do not hold the purse strings, the Government does, and our funding is subject to the political choices of the Government of the day. Resourcing for us is a major challenge. In the UK, we are towards the bottom of the spending ladder, with a justice budget that is a fraction of what is spent on other public services.

36. In securing funding therefore, it is essential that our purpose, and its benefits to the public interest, are understood. The public must know what it is we are doing, why it serves them and why that service needs to be adequately funded. In order to get that message across, we need the fourth element: clear communication and accessibility.

37. As legal professionals, I think that it is important to bear in mind how impenetrable the legal system can feel for many people outside of it. As I have said, we should not be surprised if members of the public, or even members of the Government, do not have a well-rounded understanding of the various courts and appeal systems, uses of evidence or judicial decision-making. Representations in literature and on stage and screen have not always helped us in this regard, in

either the UK or Canada. There is the inaccurate trope of a bewigged British judge angrily bellowing “order, order” while wielding a gavel – we do not come equipped with gavels in British courts and, in my experience, judges do not raise their voice. The Canadian TV series *Family Law*¹¹ begins with a lawyer arriving at court hungover and throwing up on her client. The Toronto-filmed legal drama *Suits*¹² opens with a character stumbling into a role as partner in a legal firm despite having no practical experience of law or even a law degree – a position echoed as far back as Portia in *The Merchant of Venice*, in fact. And that’s before we even get started with British TV shows such as *Silk* and *Judge John Deed*, which seem to imply that all legal professionals are sleeping with each other.

38. Atwood’s *The Blind Assassin* gives us a clue to help debunk such myths. Throughout the book its narration is punctuated by newspaper clippings commenting on events from an objective viewpoint and showing the evolving narrative through a free press. While these accounts cannot establish an absolute “truth” (and sometimes distort it), they do highlight the manner in which the powerful and wealthy members of Canadian society are held under scrutiny. They build up the evolution of the story as part of an evidence-based culture.

39. But news consumption is changing and is particularly stratified across age groups. Social media is now the main news source for three-quarters of younger people¹³. Meanwhile 56% of 18–24-year-olds have a lot of trust in judges vs 68% of

¹¹ [Family Law \(Canadian TV series\) - Wikipedia](#)

¹² [Suits \(American TV series\) - Wikipedia](#)

¹³ [Top trends from our latest look at the UK’s news habits](#)

over-65s¹⁴. These numbers are heading in the wrong direction. In addition, it has been shown that those with a better understanding of the courts trust them more¹⁵. The judiciary is fortunate to be held in high esteem by a majority in society, but its transparencies are less likely to reach younger audiences which will have detrimental effects for the future of the rule of law. This is about taking the issues to the people who need insight the most.

40. Openness for the judiciary has historically not been an easy task, and the gap between judges and the public is enforced physically by the courtroom set-up and our somewhat archaic legal dress of wigs and gowns. While these quirks add charm for those inside the system, there can be no doubt that it puts space between us and the public. It hinders an understanding of what we do. This combines with impenetrable “legalese” and obscure judicial titles which can even seem odd outside our own jurisdictions. I’d like to ask those of you who sit outside of England and Wales, if you can explain the responsibilities of the afore-mentioned “Master of the Rolls”? How about the “Vice-Chancellor of the County Palatine of Lancaster”?

41. In addition, there is a general, and correct, protocol that judges do not speak frequently to the media; the judiciary speaks through its judgments, decisions and sentencing remarks. These are the authoritative expressions of judicial reasoning, and they provide the sole basis upon which judicial decisions may properly be understood or scrutinised. It is not the function of the judiciary to offer commentary

¹⁴ [Ground-breaking polling YouGov: trust in the judiciary | Good Law Project](#)

¹⁵ [PowerPoint Presentation](#)

or explanation outside of these formal processes. But at all times, the decision and the process should remain transparent for the public to see. That is fundamental.

42. The judiciary and media share a common duty as guardians of open justice. And a strong, functioning, free press is central to upholding the rule of law. We should all, as judges, take that as fact. But, with the limitations that I have just mentioned, what does this mean in practice?

43. For us in England and Wales it means a careful, considered opening up. Lord Taylor was the first Lord Chief Justice to hold a press conference on his appointment; he strongly upheld the view that openness to the media is, to echo Bentham, “the very soul of justice”¹⁶. I have tried to continue this legacy. One of my first actions as Lady Chief Justice was to establish a Transparency and Open Justice Board and I know that Chief Justice Morawetz echoes my sentiments here with his creation of a media relations committee¹⁷. We have introduced cameras to many court rooms, so that sentencings can be broadcast and the public can watch the live administration of justice. We regularly publish press summaries of our judgments so that we can explain in simple terms to the parties and the public who won and why. This helps the media – which is the public’s primary route to understanding what goes on in court – to capture accurately the law and supports informed public understanding. Open reporting provisions are now permitted across our family courts with, I’m pleased to report, no breaches of anonymity. This provides a valuable

¹⁶ Jeremy Bentham, *Publicity in the Courts of Justice* (1843)

¹⁷ [2025 – Ontario Superior Court of Justice](#)

insight into the challenges faced by some of the most vulnerable in society, as well as into the difficult work of judges in this area. Our civil courts are piloting new ways of sharing information with the public, including the use of QR codes through which users can access skeleton arguments, judgments and sometimes a live web-stream – all developments that reflect a continued commitment to innovation.

44. Communication and accessibility must extend to court users too. Reductions in legal aid have seen an increase of litigants in person (which you refer to as “self-represented litigants” in Canada) who have no legal representative and must be allowed to understand the court’s processes on a level footing with the professionals. Your new guides for self-represented litigants will be invaluable to do this. Finally, accessibility should extend to judicial training, and this year I am keen to showcase the work of our Judicial College, with an event planned in the summer and an invitation to ministers to come and see the work that we’re doing there.

45. Together, these measures are opening up the justice system as never before. They enable journalists and their readers, ministers and their constituents, to understand the day-to-day reality of the law. On the other hand, increased communication and accessibility will mean further media interrogation and scrutiny – sometimes praise but sometimes criticism or disagreement. This is part and parcel of judicial accountability, but can feel difficult and challenging. Which brings me to my fifth and final element: resilience.

46. Resilience, the ability to recover and return to normality after being confronted with adversity or shock, is an integral part of the moral courage that is required of the judiciary. The word's first use in English is attributed to Sir Francis Bacon, while Thomas Tredgold later utilised it to describe why some types of timber could accommodate sudden and heavy loads without breaking¹⁸. Indeed, Canada's Charter is often referred to amongst judges as a "living tree", growing and adapting to changing times, and this adaptability and resilience is mirrored in the common law.

47. In fact, the natural world is eminently useful in providing examples of resilience, from my favourite Aesop fable of *The Oak and the Reed* through to migratory birds returning earlier in springtime as global warming accelerates. Furthermore, Atwood continues to serve us well with her heroine, Marian, in *The Edible Woman*, who shows resilience in a mental health crisis and against the conservative expectations placed on women before second wave feminism.

48. As judges we must call on our resilience to deal with criticism. We must withstand pressure and remain focussed on our overriding purpose, but we must do this in a way that demonstrates accountability. It is right that the public is allowed to criticise judgments, both with respect to the outcome of a case and the reasons deployed. Engagement with judicial reasoning is entirely encouraged. But the line will sometimes be crossed where the authority of a judge is wrongly called into question.

¹⁸ [article \(4\).pdf](#)

49. One infamous example of this transgression was in the year following the UK's Brexit vote, after which three judges ruled that the Government could not initiate a withdrawal from the EU without an Act of Parliament. They were branded "Enemies of the People" by the *Daily Mail* and one of the judges, Lord Sales, explained that he "felt unusually exposed"¹⁹ conducting his everyday business in the days following the headline.

50. But, as those judges rightly showed, criticism, however fierce, should not sway us from our purpose. If the criticism is valid, it should be taken on board. But one must not make decisions simply to avoid criticism. My predecessor as Chief Justice, Lord Burnett, said of a judge that they might have all the essential characteristics, but they are "not necessarily a good judge if he or she is not willing, when necessary, to make difficult decisions which upset powerful people and may be unpopular."²⁰

51. Our changing media landscape has meant a growth in online criticism that is amplified by the rise of populism and self-imposed echo chambers. All of which necessitates an increased awareness of what criticism is valid, what is not and how to counter misinformation. Again, this leads us to the importance of public understanding of the law and the judiciary's purpose – the five elements are all closely interlinked.

¹⁹ [Lord Sales: Reflections on legal life | COUNSEL | The Magazine of the Bar of England and Wales](#)

²⁰ [Speech by The Right Hon. The Lord Burnett of Maldon: Becoming Stronger Together](#)

52. This year marks a significant time of change for both our judiciaries – I am witnessing the retirement of three of my most senior judges and the retirement of your own Chief Justice Geoffrey B Morawetz is in a matter of days after serving as Chief Justice for seven years. I have already discussed his commendable record on transparency and would like to briefly also praise his work in court efficiency. The introduction of a digital end-to-end justice system across Family and Civil courts, and to come in Criminal justice²¹ shows significant modernisation and is a testament to the sort of adaptability that our judiciaries need to thrive in the twenty-first century. Updates such as these, while no doubt challenging at the time, are necessary for us to meet citizens’ expectations for the administration of justice today. Likewise, in England and Wales we are adapting our systems to best suit today’s legal issues and solutions. Our Family Drug and Alcohol Courts are one such example, posting uniformly positive outcomes for both individual families and for wider society.

53. Adaptation is a part of resilience. We must recognise that, through the hardest challenges, through criticism and opposition, we have the potential to learn and grow the most. Helen Keller, the author and activist, said “Character cannot be developed in ease and quiet. Only through experience of trial and suffering can the soul be strengthened, ambition inspired, and success achieved.” Our work tests us, often in the public eye, but it also builds us into better judges. Like the reed, we become stronger each time – we bend and we recover.

²¹ [2025 – Ontario Superior Court of Justice](#)

54. You may have noticed that, in spite of my enthusiasm for Margaret Atwood, I have not actually mentioned her best-known book, *The Handmaid's Tale*. Although not set in Canada, it does provide a stark warning of what can happen when national systems of law and order slip. The religious autocracy of Gilead has no separation of powers, or even a judiciary to speak of. All power lies with the Commanders of Gilead, while the Canada depicted in *The Handmaid's Tale* is a place of hopeful escape away from this oppression.

55. As representatives of free and fair judiciaries *The Handmaid's Tale* is a warning that we must heed in order to remember the importance of our role, and wider public understanding of it. Your Prime Minister spoke conspicuously about this at the World Economic Forum, inviting coalitions based on shared common values.²² Public attention to this speech was significant, and its reception showcased the fact that our executive governments, while a separate pillar of the establishment, often hold the ear of the public better than we can. Their understanding of our work is therefore also essential, and will complement increased openness and communication with the media and the public.

56. As I noted earlier, trust in the judiciary is lower among younger people, and this gap will only widen if their understanding of the law is shaped by sensationalist drama and social media. The judiciary does not like to blow its own horn, but our conduct, integrity and openness to criticism are vital to help cement the rule of law for future generations.

²² [Davos 2026: Special address by Mark Carney, PM of Canada | World Economic Forum](#)

57. We can debate whether Canada and the UK are the largest voices internationally, but they are certainly among the most trusted, with a trust based in large part on the reputation of our judiciaries. It is worth remembering that and carrying it with a degree of pride as we go about our work. With this trust, it is central that we play our part in defending the rule of law – both domestically and internationally – and continue to uphold the high regard in which the Canadian and British legal systems are seen. I have suggested that we can do this by embracing the five elements of a thriving judiciary to enhance our strengths and bolster public understanding of the rule of law.

58. With a clear understanding of purpose we can be focused on the job, even when it feels difficult or unpopular. With the right people we can move forwards with society to maintain a judiciary with integrity and continue to serve our changing world. With sufficient funding we can ensure a timely, fair and equal access to justice. With communication and accessibility we can engender public respect and ensure accountability. And with resilience we can maintain the moral courage that lies at the heart of a thriving judiciary.

59. And on that note, let me conclude by thanking you again for hosting me and reassure you that it has absolutely not been an inconvenience.