

CONSTITUTION COMMITTEE

ANNUAL EVIDENCE SESSION WITH THE LADY CHIEF JUSTICE

on

Wednesday, 10th June 2026

The Rt Hon Baroness Carr of Walton-on-the-Hill,
Lady Chief Justice, Judiciary of England and Wales

CHAIR: The Rt Hon. the Lord Strathclyde

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THE RT HON. THE LORD STRATHCLYDE (CHAIR): Welcome to this meeting of the House of Lords Constitution Committee. Today we are holding our annual evidence session with the Lady Chief Justice, Baroness Carr of Walton-on-the-Hill. So, thank you very much indeed for coming along and a warm welcome to you.

I gather that you've got one or two opening words that you would like to make which would be helpful for the rest of our discussion, and we very much welcome you for saying what you've got to say, and then we'll perhaps start off on the wider discussion and questions that the committee would like to put to you. Thank you.

THE LADY CHIEF JUSTICE: Thank you very much indeed, Chair. I'm here fresh from the London Legal Walk last night where I managed 10 kilometres on a hot, sunny London evening, but I'm delighted to say I think we've raised almost a million pounds for legal advice charities so it was a good warm-up for this morning. It is indeed a great pleasure to be here in what are serious times, and I hope that I will be able during the course of this session to provide some reassurance in those areas where our responsibilities are shared.

I know that you heard very recently from Lord Reed and Lord Sales. They gave evidence back in April, I think, and watching them caused me to reflect on how different our respective worlds are. Just reflecting on the complexity of the work that we do in England and Wales, of course work right up to the Court of Appeal, but also the sheer breadth and the scale of the work in England and Wales. I think we have around 24,000 judges. We carry heavy leadership responsibilities. The volume of work, I know we're going to talk about it later, is only increasing. I think we had 2 million civil claims issued in 2025 alone, 39,000 mediations in the civil jurisdiction, more than 560,000 family cases issued. So it is a very different world over in the Royal Courts of Justice and around the court centres of England and Wales.

I wanted formally to welcome as well, if I may, your rule of law report last November, which was a superb piece of work, if I may say so, and your engagement generally with the judiciary across the board. You asked among many questions the question, what is the rule of law? And we know between ourselves what it means, but we also know that we need to improve understanding of what the rule of law means and in a way the fact that it is a facilitator rather than something that is imposed by judges or indeed anyone else, the benefits of the rule of law in a more positive context.

I also wanted to formally acknowledge what I think is the really important work of the House of Commons Procedure Committee into the *sub judice rule*. That is an exercise in which I have engaged with some evidence in writing. We know that the *sub judice* rule is a critical safeguard both to judicial independence and parliamentary privilege. We, the independent judiciary, play our part by not commenting on policy matters, by developing the common law and applying it in a way that is respectful of the separation of powers and, as I said in my evidence to the Procedure Committee, it is a two-way street. Parliament in turn needs to respect the work of the judges and the courts and to respect that fundamental principle of comity. I understand all too well that respect begins with understanding, and here some of the work that we can do together comes into play. I recognise that there is still an enormous amount of work to do in terms of improving parliamentary understanding and a wider public understanding, it's something you mentioned in your report about many things including the work of the judiciary. I've increased the number of parliamentary liaison judges very recently. I'm going to make it a sub-committee of the Judges' Council to really increase the focus of the work that we do in this area and I'm sure it's something that we will be discussing in a little more detail later on, but I think it's a really important priority for me at the moment.

I wanted to move on very briefly to the reassurance aspect. We, the judiciary, have a stability, we have a permanence - actually a constitutional permanence - that I think can offer some reassurance in turbulent times. We know political events and events in terms of safety and crime across the country. But of course we also have a packed legislative reform programme, and we also are seeing

the retirements of some of our most senior and outstanding judges. Their contributions need to be recognised. But I wanted to emphasise that I have every faith in the depth and breadth of judicial talent available and the fact that, as many on this committee will know, we have systems of stability, permanence and endurance that can provide the reassurance I'm talking about. Our foundations are solidly constructed, they are carefully constructed, and I think in a world where everything is so fast moving, it is important to hold on to those basics, that the judiciary, as I say, has that permanence. It's a permanence that I think has impact both domestically, but it also has an impact internationally. As I travel around the world on my official duties, time and time again, it comes back to me that together we are stronger. Those countries that respect the rule of law, when we can share dialogue, ideas and commitments to the rule of law, that can only be to the good not only for our country domestically but also around the world.

This solidity, this stability, of course, does not mean standing still. The law must be stable but does not stand still, and in the context of the permanence and stability I've been referring to, we are still moving forward with some really exciting new initiatives, including the creation of a new Business and Property Division which will be bringing together our outstanding Business and Property Courts not only under one roof, which they already are, but under one leadership in a more accessible form, and that is a good example, I think, of some of the new initiatives that we are bringing in.

Standing back and drawing things together for the time being, it has been an incredibly busy and continues to be an incredibly busy and challenging time for us all. We have an enormous amount of pressure on the Judicial College, that's the training college. We have new courts opening with the City of London Courts. We have a magnificent new tribunal centre opening in Newgate Street. Demand is increasing in all of our jurisdictions. But the judges are actually just getting on with it. They have a resilience; they have a commitment. Whatever else is going around them, they do the day-to-day job that is so important to all of us. So stability, forward-looking, moving confidently forward into the future.

CHAIR: Lady Carr, thank you very much indeed for that. You've covered the ground extremely effectively and forecast many of the questions and areas that we will raise. So thank you for that. I'd like to start with the whole question of backlogs in the court. We read a lot about them in the press and obviously it is an issue which concerns government and parliament alike. You did mention the future in terms of new laws being made which add to the burden, but I particularly want to look at the past and the current volume of backlogs in the court and to ask are there specific areas within the system where pressures are particularly acute. Perhaps when you are answering it, you mentioned our report on the rule of law, in that we did mention the evidence-taking session we had with Sir Geoffrey Vos, who asked questions about technology, or gave us answers about the use of technology, and there's been recent reports in the press about courts being very willing to use tools such as AI so as to speed up the process of justice. So if you could just give us a few thoughts on delays and backlogs in the courts, that would be extremely helpful. Thank you.

THE LADY CHIEF JUSTICE: Thank you Chair. So two parts to your question. The first is backlogs, where are we and, secondly, I think is what role can AI play in reducing those backlogs? So, backlogs. The obvious point to make before I go into the detail is that backlogs of course do not necessarily mean decreasing performance. What they mean is that performance may be doing as well as ever and in some jurisdictions actually we are doing better than ever, but the backlogs continue to increase because of rising demand.

If we look at various jurisdictions, family, civil and then crime and tribunals. Family, actually in terms of performance and backlogs, the picture has some cause for hope. So our open caseload in public law is the second lowest since 2016. In private law the open caseload has increased, but the average time taken to conclude a case has come down quite significantly from 39 to 33.5 weeks. So a mixed picture but some cause for optimism.

In civil, we know that the statistics for time to trial aren't always necessarily that helpful because 97% or so of civil cases settle, but nevertheless the time for civil cases to come to trial is also going down and that tells me that the rest of the jurisdiction is also improving in terms of performance, so you can travel out from that headline statistic. I think some good news more generally.

The two areas, and I don't think this will come as any surprise where we are really facing pretty extraordinary acute pressures, are in the criminal courts and in the tribunal system. Now in the magistrates' court, the open caseload at the end of last year was about just under 380,000, that's 17% up compared to the previous year. The Crown Court open caseload was just over 80,000, that's a rise of 8% compared to the previous year. And that is the case despite the fact that we are now sitting more days than ever before and disposing of more cases than ever before per day in the Crown Court.

I won't go over the history of Crown Court sitting days, but you will remember how our allocation of sitting days has crept up from 107,000 to 108,500 to 110,000 to 112,000. We now, thank goodness, have uncapped Crown Court sitting days, and at present rates we are sitting about 119,000 cases, which is commendable and a testament really to the extraordinary work of the judges and HMCTS across the system.

Tribunals, I think there are three tribunals I would pick out for you. The first is the First Tier Tribunal Immigration and Asylum Chamber where receipts continue to arise at an ever-alarming rate. SEND, that's the Special Educational Needs and Disability Tribunal, I am told that between 2011 and 2023 the volume of appeals registered has increased by almost 500%. In the Employment Tribunals, again, huge increases in the number of receipts. So I think the areas where we are still running up the down escalator are particularly in crime and the tribunals.

Can I turn to the second part of your question, Chair, which is the role of AI? I would just like to say at the beginning that I think that we in England and Wales have in an extremely fast moving environment, got as good a grip, and I would respectfully suggest actually a better grip than nearly any other jurisdiction in the world when it comes to AI. We have produced guidance from the very outset and it is updated very regularly. I am positive about AI, cautiously positive. Apart from anything else, it is irreversible, it is here with us to stay. But I genuinely see there being huge opportunities for efficiencies within the justice system in all jurisdictions, provided we move cautiously and carefully forward.

If we look at, for example, immigration tribunals we are using AI piloting to record remarks to assist with the preparation of judgments, one of many steps that we are taking. We can use AI when it comes to translation in the courts. I think you may have been reading something about the use of AI in Crown Courts. AI can be incredibly helpful in, for example, identifying which cases are ready for trial and which cases are not where a particular court centre has capacity. If one gets slightly more sophisticated, it may be that AI in due course will be able to predict which cases might or might not crack at PTPH or at a trial stage. That is a task that good listing officers are doing up and down the country now when they are trying to juggle where to list cases. So enormous opportunities. We are not talking about AIs doing the judging. We are talking about AI doing the laundry so that judges can do the art. So there needs to be reassurance there, but we do need to move forward with this and I do think that there are good news stories in there in all jurisdictions where we will be safely using AI to cut and reduce the backlogs.

CHAIR: Thank you very much. That is extremely comprehensive and very clear. Can I turn to Lord Beith?

THE RT HON. THE LORD BEITH: If we have a look at the creation of the Business and Property Division—

THE LADY CHIEF JUSTICE: Yes.

THE RT HON. THE LORD BEITH: —and the renaming of the Chancery Division as a consequence, we have been told that no additional staff costs or judicial costs will arise from this, it will require a negative statutory instrument and a large number of changes in the basic legislative framework. How long is this process going to take?

THE LADY CHIEF JUSTICE: It does not require primary legislation. It requires an order in council which will be laid next month, and you are absolutely right. It is not entirely cost-effective because we have to change the website and there are various computer changes that have to be made. But no extra staff, no extra judges or anything like that.

THE RT HON. THE LORD BEITH: Will it have any impact on the admittedly less serious backlog situation in civil business, but still desirous of improvement?

THE LADY CHIEF JUSTICE: Yes.

THE RT HON. THE LORD BEITH: And will it have any impact on that, positive or negative?

THE LADY CHIEF JUSTICE: So timeliness in the Business and Property Courts is not actually a major concern. So the delays we are talking about are on the District Bench and at the County Court level. The Business and Property Courts, actually, as I say, timeliness is pretty good. Most hearings are coming on within the year and shorter hearings will come on before that. So I do not see any negative impact in terms of timeliness. If anything, I see an improvement. I think one of the important features of a Business and Property Division will be the ability to increase judges to specific cases so the right judge hears the right case and is able to case manage from the outset, and that, if anything, will have a beneficial impact on timeliness.

THE RT HON. THE LORD BEITH: Thank you.

CHAIR: Very good. Now Lord Jones of Penybont.

THE RT HON. THE LORD JONES OF PENYBONT: Thank you, Chair. I should declare I practised at the bar in the 90s in South Wales, a long, long time ago now. But one thing that struck me is that most of the courts that I practised in have closed. So I live in Wales' biggest town with an urban area of 130,000 people and it lost its Magistrates' Court and its County Court. What effect then, this is the first part of the question, what effect has court closures had in terms of the backlog? Do we have enough courts to ensure that we can bring down the delays that are already experienced in the system? The second question is about Legal Aid. Legal aid, as you will know, Lady Chief Justice, eligibility for it has been tightened considerably over the last few decades. That has led, my former colleagues tell me, to many people now representing themselves, particularly in the criminal courts, and you will know, of course, that slows the case down because everything has to be explained to them. What effect does that have on the backlog? Does it create a concertina effect, delaying other cases that come behind those cases? And what might be done, if that is a problem, to resolve it?

THE LADY CHIEF JUSTICE: Thank you. So two questions. The first is the court estate, what is the effect of court closures, and the second is what is the impact of reduction of Legal Aid on backlogs? In terms of court estate, you are absolutely right, if I may say so, to emphasise the absolute critical importance of regional justice, access to justice, and a sufficient court estate. One of the risks in the current climate, including with AI and technology, is that it is all too easy to think that with greater and more efficient remote live links, greater use of technology, we can somehow have a lesser requirement for the court estate. It's not right to say that because we will and can

effectively use remote and live link hearings when appropriate, that somehow we don't still need courtrooms. We do.

So court closures, particularly in Wales, which suffered particularly badly when the court closure reform programme came in, these are real issues. There are also real issues arising out of the uncapping of Crown Court sitting days. Many family courts are sitting in courts that are suitable for Crown Court trials. How do we prioritise? We can't move family judges out of courts to unsuitable accommodation in order to free up the Crown Court, but at the same time we have a desperate need to use courts that are suitable for jury trials. So what assurance I can give you, actually very recently is working with HMCTS to draw up a paper which emphasised the importance of not only a properly functioning estate, which is another topic of its own, in terms of heating, water and the like, but actually courts in the right places. So this is an absolute priority, and it's a hot topic in the context of looking at the use of AI and technology at the same time for reasons which I hope I've explained.

So far as Legal Aid is concerned, of course the reduction of Legal Aid impacts on efficiencies because litigants in person are unlikely to be able to move as fast and are likely to need more support than somebody who is represented, as you say. Actually, AI can come in again. AI, we are seeing, can really help litigants in person have access to justice because they can get support in drafting their submissions.

Now, of course, we as judges are trained to look out for fake hallucinations, fake cases and the like, but many judges are saying to me that they find AI-assisted submissions from litigants in person more helpful, easier to digest, than submissions that are drafted without the support of AI. They're shorter, they're crafted. So, to answer your question, yes, the absence of Legal Aid does hinder efficiency and slow things down, but there are mitigating steps that can be taken. There's obviously also a huge amount of *pro bono* work for which the legal profession should be commended in terms of supporting litigants in person, and I also think actually if you go up and down the courts and if you have the chance to go and sit with a district judge in court, you cannot but be impressed by how able they are at dealing with litigants in person and helping them through the process. They really are expert at it, and it's a skill that is one that needs to be acquired sometimes. It's not easy. It's very difficult. But thank you for both your points. They're important points.

CHAIR: Lord Burnett.

THE RT HON. THE LORD BURNETT OF MALDON: I think I should start by declaring interests, which I know are obvious to most people here. First, of course, I was Lady Carr's predecessor as Lord Chief Justice, and so there's a good deal of continuity and, secondly, I'm on the supplementary panel of the Supreme Court, and so continue to sit in the Supreme Court from time to time.

As has become something of a custom this morning, my questions are going to come in two parts as well. Lady Carr, when talking about the family and civil outstanding caseloads, you made the observation that timeliness was improving despite that. So my first question is really to ask you to give a little bit more information about the nature of the problem in the Crown Court. Outstanding caseloads themselves, as you say, don't necessarily indicate a lack of efficiency, but neither do they in themselves tell you much about the problem, because if there's a big outstanding caseload but it's all being dealt with very quickly, then there isn't really a problem. So I wonder if you could just tell us overall what's happening on timeliness in the Crown Court, and particularly for the non-custody cases which are not subject to statutory custody time limits which bring them on. Within that context as well, I don't know if you could say a few words about regional variations and whether there are particular problems, for example, in London and other areas which are not so manifest elsewhere in the country.

Then my second question is really this: you told us last year, I think, about the work being done by the Criminal Courts Improvement Group, which is an initiative under your supervision bringing...

THE LADY CHIEF JUSTICE: You started it. *[Laughs]*

THE RT HON. THE LORD BURNETT OF MALDON: Well, yes, maybe, but which brings together all the players in the system to try to iron out obvious problems which are leading to the slowing down of cases. I don't think there's been, at least I've not read a public update on what's going on in that group, and it might be an opportunity for you to explain what the judiciary and others are doing to reduce the outstanding caseload.

THE LADY CHIEF JUSTICE: Thank you. So question one, a little more detail on performance in crime, and question two, a little bit more about the Criminal Courts Improvement Group.

So far as performance in the criminal courts is concerned, in the latest quarter, October to December 2025, the number of cases in the Crown Court, open for a year or more, exceeded 21,000 for the first time. The median time from charge to completion continues to rise in both jurisdictions, magistrates and Crown Court. So what Lord Burnett is quite rightly emphasising is actually what really matters is timeliness in terms of how quickly are you getting to trial.

In terms of non-custody cases, as you probably have read, we are unfortunately seeing cases being listed into 2029 and in a few cases even 2030, which is pretty shocking. Non-custody cases, therefore, those cases where the defendant is not in prison, we are within that context nevertheless, I think probably of interest to the committee, successfully carrying out some areas of targeted listing. People refer to these courts as "blitz courts", I don't really like that phrase, I prefer to talk about targeted listing, and cases involving domestic abuse, violence against women and girls, we are seeing for example in Preston some very good initiatives, very successful for expedited trials, where those trials are short, no more than three days, and that is proving very effective in those types of cases.

Regional variations, London suffers for all sorts of reasons, as you understand the courts don't operate in a silo, they operate in a cross-justice system, so you depend on the quality of case file, prisoner delivery, timeliness, probation services, the whole wraparound is what contributes to overall timeliness figures. London suffers for a variety of reasons, including enormous workload, and the Lord Chancellor has set up, as you may have heard, a London taskforce to bring together all interested agencies to work through some of the London-centric problems.

Beyond that, there are regional variations again, about which you may have read, about Liverpool being a particularly high-performing court. Those courts that are able to operate the most flexibly are the largest courts, because that's when you can juggle work, move cases around, list in a certain way, that may allow more flexibility, so Liverpool I think you've got 19 courts or something like that, Birmingham, again, a huge number of courts. Those courts where there are only one or two or three Crown Courts sitting at any one time don't have the same flexibility. Again, where there are regional variations, the reasons can be multifactorial, it can be the quality of the local Cafcass, that wouldn't be in crime, but in the local probation service, how close are your prisons, all those sorts of factors come into play. So I think it's very dangerous to look at one court and compare it straightforwardly with another, because it may not tell you a fair or accurate story. Every court centre, every area needs to be considered on its own merits, as it were.

The Criminal Courts Improvement Group, which started out in COVID under your leadership as the Crown Courts Improvement Group, now extends to both Magistrates Courts and Crown Courts. It's a judge-led group, but it's a cross-justice system group, and it brings together all the sorts of agencies I've been talking about, the police, the Crown Prosecution Service, Legal Aid agencies, the legal professions, to come together, to come and discuss and find solutions and new initiatives

to tackle some of our major problems. We have six sub-groups of work going on at the moment in the following areas: listing, I am shortly to issue a practice direction with a national listings framework that will standardise listing across the Crown Courts and, we hope, bring very significant efficiency improvements. We have a group working on remote participation, which is something that we were talking about a little earlier. We have a group looking at pre-sentence reports. Can we speed them up? Can we make them shorter? Can we make them more effective? We have a group looking at domestic abuse, looking at agreed national best listing practices. We have a group looking at AI, developing cross-agency approaches to AI governance involving guardrails and transparency, but looking in the criminal sector as to where we can use AI efficiently. Finally, sixthly, we have a group looking at better case management. There is a lot of provision at the moment for what should happen, both at the first hearing in the Magistrates' Courts and then at each stage in the Crown Courts, what each player is supposed to have done by a certain date and uploaded and engaged with. I feel quite strongly that a lot of improvements could be achieved by everybody being able to and then doing what they are supposed to do now, so actually not necessarily so much a need for change as a need to do what is already supposed to happen. That is often a resource issue, but particularly when it comes to better case management, I think the rules are there, the ideas are there, the principles are there. We just need to deliver.

One thing I emphasise in the context of the Criminal Courts Improvement Group is that although these groups are judiciary-led, and that is very important, we the judges do not hold all the levers and we cannot take responsibility for the overall performance of the criminal justice system. There is a danger that by being on the front foot with some of this, it can seem that we have all the levers and can sort it all out. We can convene, we have strong convening powers, and we obviously have things that we as an independent judiciary can ourselves do and improve on, but we cannot run the system across the board, which I suspect is evident anyway.

We did have an incredibly successful conference organised by the Senior Presiding Judge back in February or March in the Guildhall in the City of London, where everybody came together and talked about some of these issues, all of these agencies at a very high level, including ministers, and it was an extremely effective session. My strong message was that we all have to work together, that we cannot work in silos, and that means supporting each other.

I often remember the words of Harry Truman, "Isn't it amazing what you can achieve if you don't mind who gets the credit?" I think we do right now, right here, need to embrace some of that spirit, if that means holding back on one of your new initiatives, because there is not the resource to do that initiative and another initiative that perhaps the CPS needs to carry out, then you stand back and wait. We need to look across the system in these very challenging times, with these huge operational and delivery challenges, to come together, to work together and try to find common solutions. Actually just sharing the problems out loud in one room, to hear each other, can be very, very effective.

CHAIR: Yes, very helpful. Lady Hamwee?

THE BARONESS HAMWEE: Thank you. I was at a meeting last week when some members of the Bar from the North West talked really rather proudly about Liverpool and Preston. I was quite taken aback by what you told us about the backlog in the tribunals. For me that raises a lot of political questions and I can't ask you, it wouldn't be right to ask you about those, so I've been trying to work out how to frame this question, which I think is: is there anything at a political governmental level that this committee can take up which would be helpful to you?

THE LADY CHIEF JUSTICE: Well phrased, and therefore all the more difficult to answer.

[Laughter in room]

THE BARONESS HAMWEE: I'm not trying to put you on the spot.

THE LADY CHIEF JUSTICE: No, no.

THE RT HON. THE LORD MURPHY OF TORFAEN: And we shan't seek the credit for it.

[Laughter in room]

THE LADY CHIEF JUSTICE: Very good. I think we are in the tribunals, obviously what immediately springs to mind is the volume of fresh legislation, so we have the Renters' Rights Act, which is going to increase the burden on the Property Chamber in particular. We've been doing a lot of work on that with HMCTS, getting the judges ready, and also the Employment Rights Act is going to have a huge impact on the employment tribunals.

I think one, as it were, early step that can be taken is always to bear in mind the justice impact test, and to make sure that whenever one is looking at prospective legislation and reform, one looks across the board in all jurisdictions, including crime for example, to see what impact that will have on the system as a whole. But, more granularly, I think the simple answer to your very good question is to emphasise the need for resourcing and recognising the huge challenges that this places on the number of judges, on the judges, on recruitment, retention and also training. The Judicial College has always been an incredibly important part of the judicial work and the judicial landscape, but I actually think it is absolutely at the top of the list at the moment, whether it's the Sentencing Act, the Renters' Rights Act, the Employment Rights Act and the Courts and Tribunals Bill and so on and so forth. To each and every new piece of legislation, judges need to be trained and training needs to change.

We don't have a centre, we don't have a room to train in, we use conference centres around the country. The Judicial College is world class, world leading. Although we have the fewest resources and no physical presence in terms of a centre, countries around the world come to us to learn how to train judges. It's a very important piece of work and comes into mind when you ask what you can do. I think it's the voices of others, it's the voices of Parliament recognising what policy changes can mean for judges on the ground and the tribunals on the ground.

THE RT HON. THE LORD BEITH: Can I ask a quick supplementary to Baroness Hamwee's question?

CHAIR: Yes.

THE RT HON. THE LORD BEITH: It's a factual question. Is there a mechanism by which the justice system indicates to legislating departments what the precise impact of the legislation on the enforcement of the law through the courts is likely to be? Whether you can cope, and what might be necessary to enable you to cope?

THE LADY CHIEF JUSTICE: Yes, thank you. Early engagement is absolutely key. It's one of the first things that I emphasised coming into office. It's something I discussed with my predecessor. Early engagement with the judiciary is absolutely fundamental, and it should happen and it does happen. It should be one of the very first things that is considered. It happens through consultation with the senior judiciary. So can I say there is a formal document that you will find out there laying down what the procedure is? I don't think there is one but, as a matter of convention and comity, it should be always a starting point and it does happen and we give all the information we possibly can.

CHAIR: Lord Walder-Bright?

THE RT HON. THE LORD WALDEGRAVE OF NORTH HILL: Just further picking away at this subject actually. Maybe... this is probably wrong, but when I sat in cabinet, it was under the old system of course where we had the Lord Chancellor, who was a major political figure, as the Lord Chancellor remains, but was also a formidable judicial figure as well. You had Lord Hailsham or Lord Mackay of Clashfern saying, "You can't do this, we can't possibly." Now, I was Chief Secretary to the Treasury, and it's going to get worse this, because when there is no money, departments want to do things, governments want to do things, so they put the costs on other people.

THE LADY CHIEF JUSTICE: Yes.

THE RT HON. THE LORD WALDEGRAVE OF NORTH HILL: Especially on you and on the rest of the economy because the Treasury can't stop them doing that. So I wonder if we can't, picking up Lord Beith's point, somehow find a way of making a more formal mechanism so that that lost voice is more audible at the policy-making stage.

THE LADY CHIEF JUSTICE: Yes, well thank you. I mean the voice shouldn't be lost, the voice should be very audible around cabinet through the Lord Chancellor, Secretary of State for Justice, who does have this dual role. There may be force, I don't think I can comment on whether or not there should be that sort of policy change, but I do think you're absolutely right that we need to... this isn't just a Ministry of Justice issue, so if you look at for example the Renters Rights Act, that's got direct feed into the MHCLG, Ministry of Housing and Local Central Government, and indeed the MHCLG is funding part of the technological work that is going on to be ready for the Renters Rights Act with HMCTS.

But I think opportunities like this, if I may say so Lord Waldegrave, making these points very clear and loud and carrying that through discussion, increasing parliamentary understanding across the board is all very important and part of the exercise. Whether there is a way of formalising it more I don't know, and I suspect it probably wouldn't be for me to comment on, but the point is incredibly important, the need to consider, and whether it's attacking organised crime groups behind shop fronts in Manchester, that has an immediate impact on the work of the Magistrates and Crown Courts, and as you say in a politically turbulent time, decisions can be made by the left hand, it all needs to be joined up and thought through.

CHAIR: Are you doing any work in preparation for the potential changes in the Courts and Tribunals Bill?

THE LADY CHIEF JUSTICE: Well, of course, that Bill is passing through Parliament and it wouldn't be appropriate for me to comment on any aspect of it at this very delicate stage, but obviously we were consulted very thoroughly by Sir Brian as he was preparing both his reports, and we will be responding publicly to those recommendations in his reports that direct only to the judiciary, we'll be doing that very shortly. We can't fully prepare when we don't yet know what is going to happen, but we obviously have been doing thinking and as much preparation as we properly can at this stage, and we will be ready when Parliament has decided what and if it wants to do, to do our very best to support Parliament in its decisions and to implement them to the best of our ability. So obviously a lot of thinking, Chair, and as much preparation as is sensible at this stage.

CHAIR: Very good. Lord Jones?

THE RT HON. THE LORD JONES OF PENYBONT: Thank you. The jurisdiction in England and Wales is uniquely odd in my view, in the sense that it has two governments and two legislatures. It's the only jurisdiction of its type in the entire common law world, and that leads to, I suppose, some difficulties as far as the judiciary are concerned. I've lost track of the examples I've been given, again by former colleagues, of barristers appearing in Wales and arguing the wrong law, English law, when, for example, when it comes to the Renting Homes Act in Wales is different to

the Renters' Rights Act in England, that's a problem. As far as the judiciary is concerned, we've talked so far about engagement with this place, but not about engagement with the Senedd, the Welsh Parliament and the Welsh Government. How is that done? So, for example, legislation passed in the Welsh Parliament has an effect on the workload of the judiciary. What sort of mechanism is in place for there to be communication between Government and Parliament in Wales and the judiciary in terms of the effect on the workload of the judiciary as a result of Welsh legislation?

THE LADY CHIEF JUSTICE: So, I think you were aware that I gave evidence to the Senedd in February. Did you know that? Yes, and I think that was the first time that happened, and it was a very enjoyable and constructive session. The barristers may have argued the wrong law, but the judges would have known immediately that it was the wrong law, because all judges who sit in Wales who have to deal with Welsh law, as they do, are trained in Welsh law by the Judicial College. We do an enormous amount of work in the Judicial College, as you know, with Welsh language and so on and so forth.

In terms of engagement beyond the giving of evidence to Senedd, I met with the First Minister when I was there in February. I've reached out and written to the new First Minister and I hope that I'll be meeting him very soon, and we have engagement with parliamentary clerks in Wales as well. There are some devolved tribunals and, of course, they have their own President in the shape of Sir Gary Hickinbottom.

So, it's very important that we have appropriate engagement. I think we have made and increased the level of engagement between myself and the Senior Judiciary and the Executive in Wales and that needs to continue and if there is a sense, Lord Jones, that there's not enough of it going on, then that's something I would want to hear. I made the approach to give evidence to the Senedd, I think it was a joint suggestion following one of my many visits to Wales that that should happen. But if there is a desire for more engagement, I am the last to stand in the way of that because I think it's incredibly important.

We sent two of our Welsh language judges, you know we have a cohort of specialist Welsh language judges to Canada in January of this year. They've come back with a comprehensive report, Canada being bilingual, that being the point. So, learning how to operate in a bilingual jurisdiction. The judges have come back. They have provided me with a comprehensive report, which I will be discussing this afternoon, at the Judges' Council Committee of Wales, when we will be looking forward how to take forward the recommendations in that paper. But if there is a sense, as I say, that we are not engaging adequately, then that's something I'd like to hear and take forward.

THE RT HON. THE LORD JONES OF PENYBONT: Just to be clear, I'm not suggesting that. I haven't been there for five years, so I don't know what the feeling is there, but I'm grateful for the answers.

THE LADY CHIEF JUSTICE: But if there is a feeling, then please do communicate it.

THE RT HON. THE LORD JONES OF PENYBONT: I've not heard it, just to be clear.

THE LADY CHIEF JUSTICE: Yes, but it is important, and Wales is, as I said to the Senedd, one of the many striking things about Wales is how good performance is. Because it's a relatively small jurisdiction in terms of numbers, there is a really collaborative sense between all the courts and all the judges who share best practice in a way that I would like to see travelled out across England, and it's why Wales is such a pioneering jurisdiction. So nearly all, if not all, of our new initiatives in family, and most of our initiatives in crime, have been piloted in Wales, because it tends to work so

well. So there is a good news story there. I know that there are issues in terms of devolution and the like, not for me, but please rest assured of my commitment.

CHAIR: Thank you very much. Lord Waldegrave?

THE RT HON. THE LORD WALDEGRAVE OF NORTH HILL: Moving on to the subject which you also mentioned in your very helpful opening statement about the number of retirements coming along all at the same time, which leads on to sort of two questions, I suppose. One, is there, it would be difficult, but is there any formal way in which this could be avoided in the future? And second, it must create real problems for some of the senior judges to know which appointment to go for, and in what order, and all that sort of games. So is this a problem that you can see any way of mitigating in the future?

THE LADY CHIEF JUSTICE: So I don't see it as a problem. I want to absolutely pay tribute to the giants of the judiciary who we are losing, Sir Geoffrey Vos, the Master of the Rolls; Dame Victoria Sharpe, President of the King's Bench Division; Sir Andrew McFarlane, President of the Family Division. But none of these retirements come as a shock. These are very, very heavy leadership jobs, and I think each of those distinguished judges is 70 or over, and they are hard jobs, as I know Lord Burnett would confirm. But there is a great advantage to these judges leaving when they are, because a new team starts in October with a coherent single vision that we can develop and work together, and we don't have to repeat ourselves and actually it is all very joined up, as I say. These are judges with great depths of experience, but there is handover. I've been in the job now for almost three years, and I therefore don't see it as being a problem to be avoided. I think there are advantages to it. It needs to be carefully handled.

The appointments process is for what are relatively small competitions, because there are only a relatively few people who will be eligible and want to apply for these jobs. Nothing to stop you applying for more than one job, but actually most people tend to have a pretty clear vision in these very big jobs of what it is, in what role, what public service role they would most like to perform. All of the processes, so far as the JAC processes are concerned, have completed. So with the processes going through the Lord Chancellor and then Number 10 and the King, we should shortly have announcements, I hope, of who will be the new Master of the Rolls and who will be the new President of the King's Bench Division in good time for the respective retirements.

So it is always with a heavy heart that one sees great friends, great colleagues and brilliant judges move on, but they have exciting futures ahead of them, I am sure, and we will be welcoming in a new cohort of extremely experienced senior judges who will have been preparing themselves and thinking about taking on these roles for a very long time.

THE RT HON. THE LORD WALDEGRAVE OF NORTH HILL: That's very reassuring. Thank you.

CHAIR: That's a very positive answer in an area where we wondered how that would be welcomed. But, on the basis that you do welcome it and you've got your shiny new team coming along, what are the key priorities that you will be able to push forward as a result of having that new team in place relatively early on?

THE LADY CHIEF JUSTICE: Obviously, once we know who the new team is, and don't forget it's not all new, we still have the Judicial College, Judicial Diversity, Senior President of Tribunals, there are many of us who are not going anywhere, so don't get the impression that everybody has disappeared. Of course, the new President of the Family Division has been in post now for a month or so, if not more. But in terms of where I would start, I would, as you would expect, start by listening. I've been on the panel for each of them, so I know what their platforms are, what their ideas are, but I want to give them time to settle down and I would want to listen and talk together with them as to what their priorities are, where they would like to go.

But, fundamentally, in answer to your question, Chair, talking about permanence and stability, I would continue to take forward my three key priorities, which you will remember I spoke about when I took up office: recognising and promoting our strengths, building judicial unity, reducing our backlogs, improving timeliness whilst maintaining quality. Under each of those three headings, which have done me well so far, I still can't see any gaps under any of those headings as to things that I want to do that aren't in there somewhere. Those were the three pillars I would still want to take forward.

CHAIR: That's very helpful, Lady Carr. Lord Murphy?

THE RT HON. THE LORD MURPHY OF TORFAEN: Thank you very much indeed, Chair. As a former Welsh Secretary, I was very interested in what you had to say about Wales, but I'm not going to talk about that. My question relates to magistrates.

THE LADY CHIEF JUSTICE: Yes.

THE RT HON. THE LORD MURPHY OF TORFAEN: And what's become so evident in the last few months with the various controversies around juries and so on is how important our magistrates are and how many cases, by far the bulk of them, are heard in Magistrates' Courts.

THE LADY CHIEF JUSTICE: Absolutely.

THE RT HON. THE LORD MURPHY OF TORFAEN: Now, we are told that the Government wants to recruit about 2,000 new magistrates next year. Is that coming along reasonably well? Are they in fact doing that? And, secondly, if there are to be 2,000 new magistrates, there's an awful lot of training to be done there. Whether, in fact, that's being looked at seriously as well and how effective that might be.

THE LADY CHIEF JUSTICE: Thank you. Two parts, again, to your question. This time I'm going to take the second part first. You're absolutely right about the increased need for training if these new magistrates are coming on board. There's obviously been a huge amount of additional training need in the context of the Sentencing Act. So we've had to deliver a lot of fresh training for magistrates in that context. But, since February 2024, the Judicial College has been responsible for magistrates' training. Before then, it was separate. In fact, I used to be Director of Magistrates' Training back in 2014 under Lady Hallett. But we now have a dedicated national magistrates' training delivery team and the quality of the magistrates' training, which I've seen myself, is really good. It's less clunky than it was. It's more accessible to sign up to it. But it is incredibly important and it needs resources. Back to resources for the Judicial College. So, so, so important.

Now, as for recruitment of new magistrates, you started, Lord Murphy, by, as it were, recognising the contribution of magistrates. As you say, 98% of criminal cases are done in the magistrates' courts, and the magistrates, they are an extraordinary group of people. I spend as much time as I possibly can with them. I never go out on circuit without seeing them. I have online in-conversation sessions with them. I have interviewed the chair of the magistrates' leadership executive team, and it is really important that we all do whatever we can to recognise that. It's a very significant contribution.

In terms of recruiting, the recruitment programme itself, very much supported by the judiciary, but the programme itself is run by the Ministry of Justice. So, if you want facts and figures as to how well they are doing in detail, you must turn to them. What I do know, and what obviously I support wholeheartedly, is a new recruitment campaign which is underway. It's actually targeting individuals aged between 35 to 49 to bring down the age profile, and also targeting people from lower income and diverse backgrounds to build a magistracy that is more diverse. I'm told, I think the programme

is delivering results. There is an increase in the number of applications, but I'm afraid I don't have actual numbers, the Ministry of Justice has those. But I do know that steps are being taken to speed up the recruitment process. I've heard tales of it taking far too long, and in fact people dropping out because the process is taking 12 to 18 months or even more.

So there's a lot of work being done to speed up that process, and there's also a lot of work being done to look at enhancing the recognition of magistrates. It's not just getting them on board, it's also retaining them. So we need to look at the magistrates' expenses framework. We need to look around the whole issue to make sure that we are not only recruiting the magistrates, but then keeping them and keeping them happy, looking after them properly, recognising their extraordinary contribution.

THE RT HON. THE LORD MURPHY OF TORFAEN: Thank you very much indeed, very helpful.

CHAIR: Lord Griffiths, you caught my eye just before I called Lord Murphy. So why don't you...

THE LORD GRIFFITHS OF BURRY PORT: I've always played second fiddle. *[Laughter in room]*

CHAIR: Well, could I have you and then Lady Hamwee?

THE LORD GRIFFITHS OF BURRY PORT: Yes. The discussion thus far and in the paperwork we've received is quite properly focused on making the whole system more accountable, more understandable, more efficient particularly, the backlogs and all that kind of thing. I think that I'm interested about what might be a consequence of the efficiencies that are being made, and perhaps some of the new initiatives that are coming forward. I'm wondering if there isn't a kind of possibly unintended consequence, a kind of displacement of responsibility.

Because you're looking to handle the backlog and therefore take a lot more cases forward and, secondly because, as we hear, I'm very much a layperson in this field, that there's a desire to have more concentration on non-custodial sentences, responsibility for handling cases will pass out beyond the courts and into the community. I'm just wondering about whether there's a capacity there to take...

THE LADY CHIEF JUSTICE: I see. So in the context of crime you're wondering about whether or not if there are more community-based sentences there will be more pressure on the community as a whole? So I think all I can properly say on that is that these are deeply rooted policy decisions being taken by Parliament as to how to deal with offenders and where the responsibility ultimately lies. What I can properly say is you are quite right in practical terms, as I think has been recognised by government, that if there are more offenders being sentenced in the community, as it were, then there will be a huge extra demand on probation services and other related services, mental health services and the like. So I think it is a good example of a practical impact point. But in terms of whether or not it should happen, that is not for me.

THE LORD GRIFFITHS OF BURRY PORT: No, and I didn't think that it was, although I think that I trust you more than some of the others. *[Laughter in the room]* But for all of that, I do think that perhaps as a committee we should recognise that this is likely to be a consequence of the progress that is being made in handling our criminal justice system and to ask the question about what readiness will we have to cope with these consequences.

THE LADY CHIEF JUSTICE: I think it is very important that, going back to the justice impact point, that when changes are made by Parliament that the roll-out is properly managed, because there are interdependencies and timing is very important. So what I have been calling for and what I believe will be produced is a blueprint. It is rather like a building project. You lay the foundations, you put the cement on top, then you build the beams and the brickwork and you don't get the key

to the front door until everything is ready. I think that has been a very important point that we have made time and time again. It must be properly planned and properly resourced.

CHAIR: Thank you, Lady Hamwee?

THE BARONESS HAMWEE: My question has been answered, thank you.

CHAIR: Okay, very, very good. In that case, I will now turn to Lady Laing to ask a very important question about Parliament.

THE RT HON. THE BARONESS LAING OF ELDERSLIE: Thank you very much, Lord Chairman. If we could turn now, Lady Chief Justice, to the issue of relations between the Government and Parliament and the judiciary. It has been very interesting to note this morning how positive you are about ongoing relationships between you and your colleagues and Government, and how often you have met the Lord Chancellor, other Ministers and indeed the Prime Minister, and what you say in your annual report is very encouraging about that and we have touched on the importance of ensuring, as you said in your annual report, that the views of the judiciary on the practical implications of policy decisions are conveyed to the Government and we can understand why that matters so much.

I wonder if you might like to expand on something you said in your opening remarks about the role of the Parliamentary Liaison Judges, two of whom came to our breakfast a few weeks ago, and it was interesting that you mentioned that right at the beginning. Would you like to tell us a bit more about what they do?

THE LADY CHIEF JUSTICE: Yes, I think at the moment it is early days, and what I am trying to express is that I think we need to do a great deal more and be a great deal more imaginative and possibly even courageous than we have been doing in the last few years, and so the mandate to this group is to do just that, to think about being more imaginative and creative about ways of engaging. They haven't come back to me yet with the full worked up proposals but I am going to be meeting with them and giving them, as it were, a refreshed mandate. I want to bring them on to the Judges' Council so that we report into the senior judiciary as well. As I say, there are now four in number, and I think my mandate to them is to stand back a bit and look at how we might engage more and in different ways.

Your question, Lady Laing, was really focused on engagement with government. There is also an issue about engagement with the public, which would not be for this group, but a wider question for public engagement and, again, I have a strong feeling that, again, we need to have a refreshed look at new, particularly digitally enabled ways of engaging with new sectors and new audiences, and that is something I am going to be focusing on the coming year together with this piece of parliamentary liaison work.

It is a shared responsibility to improve this understanding and that is something we have discussed before and I am very grateful to the work of the Committee in improving the understanding. Ideas range from whether there should be an event here, some sort of Q&A session when we meet and answer questions. I get a sense that simply disseminating written material to very, very busy MPs does not necessarily hit the mark. I am open to all ideas for how we can improve parliamentary understanding and I will be looking, as I say, to this new group to do some urgent work to look at these issues. We cannot keep saying that some of the problems arise out of a lack of understanding without really, I think, getting to grips in a slightly more aggressive way with the problem, because there are problems. What do judges do? Where do they work? How do they make their decisions? We are not across the road in the Supreme Court. We are all over the country in our 170 plus court centres. We have invited MPs round. We have had a very good update to that. I am very grateful

to everybody for coming. We have got, I think, over 106 MPs who have visited their local courts, 76 more in the pipeline.

But is it working? Is it resonating? Are we making the sort of difference that I feel we should be making? I think in the context of some recent legislation there was an amendment tabled in relation to judicial training. Well, that demonstrated to me that there was an absolute lack of familiarity with, I think, section 7 of the Constitutional Reform Act, under which judicial training is exclusively a matter for me. So some back to basics questions in a way that is not patronising, MPs do an incredibly difficult job, they are incredibly busy, they have got huge demands on their time, how do I engage interest and improve that understanding in a way that is helpful to them and helpful to the rule of law across the board? So it is a challenge, I'm accurately aware of it, it is something we've discussed in the past and I'm sure these four judges will come up with some good ideas and I may be coming back in a less formal environment to discuss some of them with you in due course. As I say, we are very open to ideas, Lady Laing.

THE RT. HON. THE BARONESS LAING OF ELDERSLIE: Well, thank you. The very fact that we're having this conversation is in itself encouraging and hopefully it will be picked up that we want to support what you are doing. We do, don't we? We want that?

CHAIR: We do, very much.

THE RT. HON. THE BARONESS LAING OF ELDERSLIE: We want to support what you are doing and I think some of the conversations we had when we last met with your colleagues at that breakfast, and the regular meetings that we have, hopefully are encouraging and your answer to me just now is also encouraging in that there was very considerable concern not long ago about criticism of the judiciary by members of parliament. As you said, it's rather a different issue from criticism in the general public and in some of the media who are more interested in the headline than in the facts, but that was for a while reflected in what members of parliament were saying. Do you think that that situation has improved with greater liaison, and I'm very impressed by the numbers you've given us on MPs who've visited their local courts. Is that an initiative that you hope to see the liaison judges taking forward?

THE LADY CHIEF JUSTICE: Yes, and I think there's... whether we can coordinate it more and how we keep it going, so as you know, every leadership judge in their court centre wrote to the local MP positively inviting them in and that's something we did last October. So I would want very much to foster all of that. History and experience tells me that very often local relationships can be particularly fruitful because (a) it's easier to pop in and (b) there's a better understanding perhaps of some of the local issues that can arise. The tension, it's not a tension, but we do need to be careful, I'm not going to overstep the mark in terms of engagement, it does need to be carefully managed, but I have a sense that there is more that we could be doing whilst maintaining appropriate lines.

THE RT. HON. THE BARONESS LAING OF ELDERSLIE: Thank you.

CHAIR: Lord Jones?

THE RT. HON. THE LORD JONES OF PENYBONT: Thank you, Lord Chairman. Much unfair criticism is levelled at judges. I think members of the public believe that judges have complete freedom to sentence as they see fit and of course, you will know, Lady Chief Justice, as I do, that they're constrained by legislation, of course, but also by sentencing guidelines in the criminal courts. I'm just curious, with regard to the current sentencing guidelines, is there anything about them that you think might be in need of improvement or clarification?

THE LADY CHIEF JUSTICE: That's a huge question and really something that I think the Sentencing Council ought to deal with. It's independent. I am its president, but I'm not a member of the Council. They have been one of the big success stories in terms of consistency. A magistrate and a Crown Court judge nowadays wouldn't dream of knowing where to start without starting with a Sentencing Council Guideline and the evidence suggests that they have been very successful in the grand scheme of things but I'm sure the Sentencing Council is always alive to scope for improvement. Obviously, every guideline goes through a huge consultation process before anything hits the decks, but it will always be watching and listening and learning and open to improvements, I am sure. I mean, in terms of your opening remarks, Lord Jones, about attacks on judges outside Parliament by members of the public and elsewhere, as you say, it's very important to understand the context in which judges operate. It's also very important to understand that the law, even in the context of sentencing, can be extremely complicated, particularly, for example, when you're dealing with young people or vulnerable people, but I think the short point, if I may take the opportunity, is simply to say that however concerned and disturbed anybody is, with good or bad reason, but justified or not, nothing justifies the sort of abuse of individual judges, let alone death threats and more, that individual judges are presently subject to.

CHAIR: Yes. Lady Hamwee?

THE BARONESS HAMWEE: Thank you. I've heard a number of MPs refer, over the last few months, to visits that they've made to local courts, they've obviously appreciated it, so we were wondering whether there is any scope for that being extended to members of the House of Lords, because I think that there would be a degree of take-up.

THE LADY CHIEF JUSTICE: Actually, I was just talking out in the corridor about how wonderful it would be to have you round for breakfast, just to visit, but let me take that forward, that's very welcome, and you think there will be interest across the board, not just within the specialist committees?

THE BARONESS HAMWEE: Probably enough to make it worthwhile, not completely across the board.

THE LADY CHIEF JUSTICE: What would be helpful is to get a steer from this committee as to who might be our most receptive invitees and work on that, but as a matter of general principle, I'd be absolutely delighted, absolutely delighted to see you.

CHAIR: I think that's something we could work on—

THE BARONESS HAMWEE: Thank you.

CHAIR:—and have a discussion and see how it goes.

THE BARONESS HAMWEE: I was also wondering whether there's any work going on with school students. A number of us do work through the education centre here, you get some quite extraordinary questions.

THE LADY CHIEF JUSTICE: Yes, and brilliant questions.

THE BARONESS HAMWEE: Oh, they're brilliant, yes. The best are from the youngest.

THE LADY CHIEF JUSTICE: I remember getting one question recently, which was, how could I be independent when I was appointed by the King? That was rather a good question.

THE BARONESS HAMWEE: Yes.

THE LADY CHIEF JUSTICE: Though some of the questions are absolutely brilliant, as you say. If I may also take that up and suggest that perhaps the parliamentary liaison judges prey on your patience and have a quick word to work out how we might overlap, because we also obviously do a huge amount of work with schools. I'm also very interested in the youth ambassadors programme that the Attorney General is running. So these are youth ambassadors for the rule of law and I entertained them all, well, I hope literally and metaphorically, entertained them all in Court 4 not so long ago, met them, talked to them and listened to each of their pitches. There were three groups, and each of them are coming up with amazing ideas for how to communicate the rule of law. It's what we in this room are all about. One group was talking about bringing the rule of law into sports. I mean, all sorts of brilliant ideas. So that's something else to keep your eyes out for if you hear about it. But thank you. So two concrete action points, I like concrete action points from this bit of the discussion. Thank you.

THE RT. HON. THE LORD STRATHCLYDE CH: In our report on the rule of law, we did recommend that the judiciary should proactively communicate with the public to counter misleading narratives about the courts and their judgments. Is that something that you think is worth following up?

THE LADY CHIEF JUSTICE: I completely agree with that recommendation. As I said, I think we still, despite all of our best endeavours, I think still have an issue with communication with the public. I have to start with a caveat, which is obviously we have constitutional limits as to what we can and can't say and how far we can and can't go, but we also have massive resource limits. So I don't have a budget that enables me to use the best latest technology, to have the best filming, to have the best vox pops and all the sorts of things that one could do to communicate, particularly with different audiences. Within the context of what we currently do, we do do a lot, as you know. I do a lot of press engagement. We have the annual press conference, but there's engagement around the edges. We do have a fairly strong social media presence on Facebook and Twitter and all the rest of it. We do engage with the Youth Ambassadors programme. We have a massive transparency and open justice programme. We've got the new board. You know that we've got filming now being extended to the Administrative Court. That's actually a very significant development because some of the most important cases of the day are dealt with there. That's a positive development, and lots of TV publications and live streaming in some of our courts.

But I do have this sense that we need to reach these new audiences, and I have a very strong direction for the Judicial Office, from me to our communications department, that I really want to see a very focused consideration of new digital content in the next year or two because I do think we need to really think about how we communicate with the public more widely. Now, we've had this discussion before, there's only so much that I can do in the sense that if there is an agenda to hold certain views or have discourse in a certain way, there's nothing I'm ever going to be able to do about that. It's not about a lack of understanding, but I do believe that a better understanding generally will help those who genuinely have open minds and want to understand and then form their views, but it will also limit perhaps some of the false narratives that are out there for other reasons.

CHAIR: Lord Burnett?

THE RT. HON. THE LORD BURNETT OF MALDON KG: Could I just ask you to give a little more detail about the expansion of filming into the Administrative Court, something I have to confess I failed to achieve in my time despite pressing for it. Of course, the Administrative Court deals with public law cases which include very high-profile challenges to government policy sometimes, high-profile challenges on big infrastructure projects and matters of that sort and are clearly of considerable public interest. When is the filming of the Administrative Court going to go live or is that still being worked on? I remember the detail of statutory instruments and policies and so forth

can take a lot of working through, but it's always struck me as a really important development in open justice.

THE LADY CHIEF JUSTICE: It's imminent. I haven't got the date, but it is imminent. All of the instruments, the necessary instruments have gone through. It is imminent and it will be for the President of the King's Bench Division, the judge in charge of the Administrative List to identify the cases and press interest, but I know that your early enthusiasm for the project has played a part in getting to where we are. It has taken a long time. The important thing, as you know all too well, is that for live-streaming initiatives to work well, we have to do it carefully and properly. We have to preserve the dignity of the court, the safety of the parties. We mustn't interfere with the delivery of justice, and those will all be core components of how we move it out. But my understanding is, and it may be I'm slipped a piece of paper from behind in a moment, but my understanding is that it is imminent and that there are no potential obstacles in terms of instruments to stand in the way. October 2026.

THE RT. HON. THE LORD BURNETT OF MALDON KG: Is what's envisaged that appropriate cases will be live-streamed just as you live-stream the Court of Appeal Civil Division and the Supreme Court is live-streamed?

THE LADY CHIEF JUSTICE: Yes, and my understanding is that the emphasis will be on the delivery of oral judgments rather like sentencing remarks in the Crown Court. So I don't know the extent to which the full hearing will be live-streamed, but we will be doing as much as we possibly can within appropriate limits.

THE RT. HON. THE LORD BURNETT OF MALDON KG: Thank you.

CHAIR: Thank you. Lord Cryer?

THE LORD CRYER: Thanks, Lord Chair. I want to ask about, you've raised, I've just been reading through, re-reading through it, you've raised in the past the personal security of judges and threats that they face. You see, it's a matter that is close to my heart, I mean, the security of public servants, because I was the shop steward of the Parliamentary Labour Party when two MPs were murdered, Jo Cox and David Amess. Now, since then, personal security of backbench MPs has improved, they can avail themselves of close protection services. Ironically, the personal security of ministers has actually been weakened. I've got my views about, we probably haven't got the time to go into it. So it's something that's close to my heart, and I know you've got, I think, a Judges' Security Taskforce that you've introduced. So are you now in a position where you're at least reasonably confident about the personal security of judges?

THE LADY CHIEF JUSTICE: Thank you, and security is a matter close to your heart, but it's also foundational to the rule of law. We've discussed that on many occasions. It's about protecting the rule of law, it's not just about protecting individual judges, so some very high-level arguments to be made, and also, just to emphasise, I think judicial security lies at the heart, for example, of diversity initiatives, because we know that underrepresented groups are more exposed to abuse and online attacks, for example, and that deters people from applying for high-profile positions. It's actually foundational to the transparency work we've just been talking about. If you are filmed, you are more likely to be recognised and you are more exposed, and it's also, for example, connected to transparency of conduct decisions. The more transparent we are about disciplinary matters, the more exposed a judge may be to the sort of attacks we are trying to protect judges against.

So it continues to be, it was a priority for me when I took up on day one, it remains an absolute priority for me, but as you kindly recognise, as a result, I think, of that focus, we have made very significant strides and I'd like to pay tribute to Lady Justice Yip, who is the incoming Senior

Presiding Judge who has chaired the Judicial Security Taskforce that I established a year and a half or so ago, because she has led some remarkable work and we have made significant improvements, not only to the physical estate and courts, we see minimum requirements for exits and usher attendance, for example, being met, but we have also done a good job, and I'm not taking credit for this myself, but a really good job at raising judicial awareness of the need to protect ourselves. So we have got a centralised training package on our Judicial College website. We are going to produce a single guide for the judiciary covering the offer across the board, and we are looking at establishing single points of contact for judges to contact when security dangers arise. So I think we have raised awareness, which is an important part of the challenge, actually not to take risks, and to be really aware of the steps that judges can take to protect themselves and the support that is available for them when they need it.

We have also worked very well with the Met and national police chiefs looking at our risk assessment models, strengthening existing procedures and raising awareness in police stations of the operation that triggers various procedures for judges when they are under threat. But when we look abroad, for example, to Canada, where Lady Justice Yip visited for the very purpose of understanding what gold standard judicial protection might look like, it is clear to me that there is more that we can do. In Ottawa, they have, for only 300 judges, a dedicated judicial security office made up of security experts, including ex-police, former police officers and others within intelligence agencies, whose sole job is to horizon scan and protect judges and that is something that would be very welcome here in this jurisdiction for 24,000 judges, not just 300.

Look, am I reasonably confident? I am more confident than I was a year or two about where we are on judicial security, but can I say it doesn't worry me every day? No, I can't, and I think we need to be on constant alert and we need to continue the work with our judges and with those who are there to protect us to make sure that we are properly looked after. In a nutshell, Lord Cryer, these are not negotiable issues. These are adequate security measures that must be put in place and because they link into so many other bits of the system that we are looking to improve and work on, it makes sense on a higher level, as well as just individual security concerns.

THE LORD CRYER: As a supplementary to that, you mentioned in the past judges being doorstepped. Is that kind of thing becoming more common now than it was a few years ago?

THE LADY CHIEF JUSTICE: Yes.

THE LORD CRYER: Right. Okay, thank you. Can I just ask another question, which is... well, it's not really related to it. There have been concerns about bullying and stress amongst judges. There was the Harman review that was published, I think, earlier this year, and the Judicial Attitude Survey. What steps are being taken to minimise the stress and bullying of judges?

THE LADY CHIEF JUSTICE: So, we very much welcome Baroness Harman's independent review. She shone a light and provided evidence on a number of very important issues in the context of bullying at the Bar. Judicial conduct is, of course, something that we have been working on since 2021, when a statement of expected behaviour was introduced and it is an area of significant focus and an area where, thank you for the question, we have been making real progress. We have worked very closely with the Bar Council, both before, during and after Baroness Harman's review, and we are now closely engaged with the new Conduct Commissioner, Dame Maria Miller, who may be known to some of you, who is very impressive, and she has come to meet myself and Lady Justice Whipple, who is our judge in charge of diversity and inclusion, and I hope very much that she will be welcomed in our courts around the country and given every support that she needs to tackle these very serious issues. I think there is an increased awareness of the issue and I think there is now a realistic acceptance within the judiciary of the problems that we have. There are instances of judicial bullying and any instance is one too many. We just need the evidence. We need people to feel free to come forward with genuine

complaints, and there is a real challenge with that because legal professionals are, for lots of reasons, often very inhibited in coming forward. That is one of the reasons why one of the new initiatives in terms of priority is the introduction of an informal complaints route. Now, that route has in fact always been there, but we are now putting it into a document, a protocol, which is being rolled out across the judiciary, shared with the Bar Council, so that, very often, some of these issues... obviously, the very serious incidents must go straight to the Judicial Conduct Investigations Office. I am not suggesting anything to the contrary. But a loose remark at the end of a day by a tired judge who did not realise the impact of a certain statement is something that can be addressed overnight through leadership judges and resolved to everybody's satisfaction in an appropriate way, and to nobody's detriment. So what I am working on, with others, is just that is what I am really keen on. I think that it won't solve all problems, but I think it will help enormously in many situations at improving awareness. But what I think we can see is a change in culture within the judiciary of an acceptance of the issue, the need to address it, and we now talk about these issues, for example at the Resident Judges Conference last Friday, openly, in the round, everybody there, in a way that I simply don't think would have been imagined ten years or so ago. So lots to do, no room for complacency, lots of new initiatives, but an openness and discussion with the professions, and an increasing awareness within the judiciary.

THE LORD CRYER: Okay, thank you.

CHAIR: Thank you. Well, you will be pleased to hear that we have come to the end—

THE LADY CHIEF JUSTICE: I have no idea what time it is.

CHAIR: —of our discussion with you, and done so relatively quickly. So I think we will now close the public session of this meeting.

[Ends]