
Opening of Term Speech

Lord Chief Justice, esteemed guests, brothers and sisters at the Bar, we live in precarious times.

When one considers the imminent collapse of Stormont with the reimposition of direct rule; the impending selection of a strongly left wing and probably unelectable Labour leader and the resulting likelihood that a Tory Government will remain in place in Westminster for some time to come, one has to go back to the early 1980s, to the days of James Prior, Michael Foot and Margaret Thatcher to find a similar political matrix to the one we are now staring full in the face.

But what were things really like during that period? There was a severe global recession. Inflation was sitting at 10% in the UK. Interest rates varied between 10% and 15% and unemployment in Northern Ireland reached 20% with the closure of Delorean. But these are just economic indicators. What else was happening? Well, there was the Falklands War in 1982. In Northern Ireland there was the Hunger Strike in 1981. There were 111 deaths that year, 110 in 1982 and 85 in 1983, all related to the Troubles. There were the Hyde Park, Regents Park and Droppin Well bombings.

I could go on for quite a while listing all the horrible events that occurred during that period but I will stop there and make one plea. We cannot allow this society to slip back into the abyss of sectarian hatred. Each one of us here must do our level best to ensure that this does not occur. That is our moral and social duty. A duty arising out of and engendered by the belief first expressed by Aristotle when he stated that "*The only stable state is the one in which all men are equal before the law.*" That is why this quotation is given some prominence on our website. It is what we as a profession believe and what we as a profession must always strive to promote.

Lord Chief Justice, Ladies and Gentlemen, it is my great pleasure to welcome you to the Inn of Court and our dinner to celebrate the Opening of the New Legal Year. Coincidentally, this also marks the beginning of my second year as Chairman. A year gone already. Time certainly flies when you're having such a fun time.

I particularly welcome you, Lord Chief Justice. Despite your very heavy judicial and managerial commitments, you have always found time for me when I come seeking advice on the problems faced by the profession. And the advice I have received has been of great value and is greatly appreciated and I thank you for your contributions on the Executive Council and at the Benchers meetings and for the guidance and encouragement you gave our new batch of pupils at the call on Monday past.

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I wish to extend a warm welcome to our two new Lord Justices of Appeal. Two excellent and well deserved appointments. Again I thank you both for your advice and guidance; for Lord Justice Weir's involvement on the Executive Council and with the Institute of Professional Legal Studies and for Lord Justice Weatherup taking on the burden and responsibilities as Treasurer of the Inn this year.

I am delighted that the two recently retired members of the Court of Appeal have joined us tonight. Sir Peter Girvan and Sir Patrick Coghlin. I have one unfinished piece of business in respect of you two fine gentlemen and that is to present you each with a framed copy of the photograph of your Call to the Bar which we managed to strategically place at the entrances to the Nisi Prius Court in June. We didn't manage to present the photographs at that stage but better late than never.

I am also delighted to welcome Sir Malachy Higgins another former member of the Court of Appeal. Sir Malachy has kindly agreed to perform the role of the recipient and investigator of any complaints received under our newly set up Whistle Blowing policy. His acumen, attentiveness to detail and humanity will ensure the effectiveness and fair operation of this policy.

To the other members of the various tiers of the Judiciary present here tonight, I extend a heartfelt welcome to you and I wish Mr Justice Maguire well in his new role in charge of the Judicial Review Court.

Before I leave the Judiciary alone, I wish to thank them for their dedicated engagement in the governance of the Inn of Court. As Benchers, responsible for the setting of educational and entry requirements for the Bar, they help maintain the high standards of our profession and I hope this input long continues. I thank Anne Fenton the Under Treasurer of the Inn for all her hard work over the last year. Her appointment to that role has been a great success.

I welcome our guest from Scotland, Gordon Jackson QC. I remember quipping last year that the Scots had succeeded in reinvigorating politics in their country in a remarkable manner. The general election result in Scotland was further evidence of tectonic changes in the Scottish political landscape. We now need to reinvigorate our politics here and as a former member of the Scottish Parliament perhaps Gordon can give us some tips on how to do this.

I welcome this year the Director of Public Prosecutions, Barra McGrory QC. The organisation that you head is undergoing a dramatic reshape. I wish you well with that project. The selection panel process for the appointment of Junior Prosecuting Counsel is underway at present and by all accounts it is a rigorous and challenging process and so it should be. The public have the right to demand that those advocates prosecuting in the Criminal Courts in this jurisdiction are of the highest

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calibre and integrity and I am entirely confident that this process will bring about this result.

I welcome again this year the President of the Law Society, together with a number of solicitor colleagues from the various Solicitor Associations throughout Northern Ireland and indeed Fiona Chamberlain, the Crown Solicitor and Clare Archbold, the Departmental Solicitor.

Over the past year I have tried to bring the two branches of the legal profession closer together. The President of the Society and I have worked closely and harmoniously together. We have built up a good understanding and a deep mutual trust and I feel that this has been to the benefit of both branches of our profession. I thank Arleen for her friendship and encouragement throughout the last year. I did manage to visit quite a number of Solicitors' Associations during my first year but there are a few I still have to get to and I will. I had a very useful meeting with the new Crown Solicitor and I am very grateful for the welcoming approach of the various Associations from Ballymena and Antrim, the Young Solicitors, Newry and Banbridge, Armagh, Omagh and Belfast and I was delighted to welcome Paul Dougan of the Belfast Association to a Bar Council meeting where he courageously addressed us on the value of Solicitor Advocacy.

The Young Bar and the Young Solicitors organised joint CPD and joint social events last year with the direct support of the Bar Council and this and the other positive engagements involving the two branches of the profession must continue and increase. And before I leave the subject of Solicitors, I welcome Adrienne Brock and Michael Wilson here tonight. Elliott Duffy Garrett have been the Bar Council's Solicitors for some time now and we have become very reliant upon them. Their dedication, industry and attentiveness to our needs as clients set them out as role models for their profession.

I welcome Les Allenby, head of the Northern Ireland Human Rights Commission. Our engagement with the Commission over the course of the last year has been very constructive with the Commission hosting its inaugural Human Rights Lecture in the Inn of Court in June with the former UN High Commissioner for Human Rights Navi Pillay as the main speaker and Les giving a talk on the working of the Commission to the Bar in April. I hope this level of engagement will continue in the future and that the Bar both corporately and on an individual basis can be of assistance to the Commission.

I welcome our friends from the First Trust Bank. I thank the Bank for its sponsorship of our charitable events and CPD events. First Trust's specifically tailored advice and support offered to our younger members to help them in the first years of practice is particularly appreciated by the Bar Council.

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I take this opportunity to thank Siobhan Keegan and my fellow Council members here tonight. I thank you for putting up with me, for keeping me right and for sharing the burden of Bar Council work with enthusiasm and equanimity. I count you as good friends now and I can honestly say I have never felt at greater ease with professional colleagues than when I am in the John Cushinan Room with this Council. Your kindness and support are greatly appreciated.

I am also glad that the former Chairs of the Council are well represented here tonight. I don't think they appreciated that with my election last year they were going to be informally co-opted back into office. At times it must feel like they never left office. You all have given unstintingly of your time; and your advice, guidance and continued input are greatly appreciated.

The various Bar Associations are represented here tonight. The work of the Associations in our Library is invaluable. The improved and enhanced capacity for policy formulation and promotion in our Library is at your disposal. I urge the various Associations to use this enhanced resource and to further improve the quality of our strategic policy formulation and our consultation responses.

And speaking of new and valuable resources in our Bar Library, this Library has no more valuable resource than our Chief Executive, Mr David Mulholland. His appointment process was overseen by my immediate predecessor, and the Bar will be ever grateful to Mark for that. The two Mulhollands are unrelated but they share many qualities, including an unquenchable passion for promoting the Bar's best interests and a capacity for tireless industry in the promotion of those interests. Having worked with David for over a year now, I am delighted that he has been in place during my Chairmanship. Even over the relatively short period that he has been with us, the Bar has benefited greatly from his efforts and I am sure that will continue for as long as he can put up with us. David I wish to express my personal gratitude to you and all your team. I also must thank Gary Potter who is here with us tonight. As Chair of the Professional Conduct Committee he plays a key and frankly irreplaceable role in the maintenance of high professional standards in our branch of the profession. His selfless dedication to this task along with the efforts of the whole Committee are highly appreciated by all of us.

And speaking of high professional standards, I am glad to have the company tonight of Philip Aldworth, the new head of our Advocacy Training Board. He and his predecessor Eilis MacDermott who is also with us tonight deserve our gratitude for the efforts they and the other members of the ATB put in each year to devise stimulating and challenging advocacy training programmes. Their efforts will ensure that we are better placed to deliver the highest quality of advocacy services to our clients.

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I welcome the representatives from the Department of Justice here tonight. I know we are opposing parties in an upcoming review but there is a bigger picture here and I know we must still work together in furtherance of our common goal namely the promotion of justice by means of an effective, fair and accessible justice system. My dealings with you over the course of the last year convince me that constructive engagement is not only possible but is and will continue to be productive and such engagement will no doubt continue over the course of the second year of my term.

Our special guest here tonight is Mr Alistair Ross MLA, the current Chair of the Justice Committee in Stormont. His appointment to that role has been a breath of fresh air. He is one of a new generation of people entering politics in this jurisdiction of whom this community as a whole can be rightly proud. He and like-minded individuals in local politics regardless of their political affiliations are our hope for the future. Since taking up his role as Chairman of the Justice Committee he has constructively engaged with the Department, the Judiciary, Law Enforcement Agencies, Probation, Victims Groups and the Legal Profession. His commitment to the promotion of excellence in the justice system through targeted innovation is remarkable. The Justice Seminars that he has hosted in Stormont over the last months and has planned for the succeeding months have demonstrated a grasp of the important issues facing the justice system that is or should be reassuring for the profession that at last there is someone at the helm of that Committee that actually sees the big picture.

I know that I painted a rather gloomy picture of our future political landscape at the start of my welcome to you this evening but I will leave you to enjoy your dinner and the good company surrounding you this evening with this plea to our politicians:

As a profession we are passionate about promoting the interests of justice in our society. We urge our local politicians to do everything in their power to ensure that locally controlled structures remain in place to effectively promote those interests and we can assure you that our engagement with you as a profession will be constructive, wholehearted and geared to the promotion of those interests and to the achievement of stable society in which all its people are equal before the law.