

BEGINS

Our courts - and the men and women who preside in them - are effective protectors of our modern freedoms precisely because of the traditions which shape them.

The presumption of innocence, the insistence that no-one be deprived of their liberty save by fair judgement of their peers, the historic independence of the judiciary from politics of all kinds, all go together and ensure this country is a beacon of freedom in the modern world.

But our courts can only work effectively, and liberty can only be defended properly, if we have not just respected independent judges but also a healthy independent bar.

England has been the home of liberty for so long because it has been the home of argument - not just contention in the House of Commons but adversarial justice in our criminal courts. The truth of any proposition - whether the introduction of a new law in parliament or the pressing of a charge against an individual in court - is best tested by advocates contending in the open and allowing verdicts to be passed by members of the public.

Which is why I am so committed to ensuring we can maintain high quality advocacy in our criminal courts.

And to that end I am determined to take all the steps I can to ensure we have a healthy and vibrant bar - and in particular a healthy criminal bar, to prosecute and defend, and in due course to refresh the ranks of the judiciary.

Which is why I am so keen to take forward the work identified as helpful in Sir Bill Jeffrey's report on criminal advocacy in our courts.

As well as exploring how we can ensure those who do appear in criminal cases have the right training and are of sufficient ability to defend those whose reputation and liberty are in question, I want to take steps - as quickly as possible - to deal with those market failures which create incentives for the abuse of the system.

Part of this will be about taking steps to make sure that in every case, the advocate has been instructed because they are the right person for the job, and not because of their relationship with the instructing solicitor. Where public money is being used to fund such a vital service as ensuring fair trials before our courts, I want to be sure that every penny is spent on delivering that service. I am also aware that there are concerns about inappropriate payments between parties. That is not something I will tolerate. Work should go to the advocate most qualified for the job, not to the highest bidder.

This work will not be easy, but it is necessary - to ensure that the traditions we celebrate tonight - and which our judges incarnate - our belief in the rule of law and our commitment to liberty - can continue to flourish.

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