



The Bar Council

SPEECH BY KIRSTY BRIMELOW KC CHAIR OF THE BAR COUNCIL OF ENGLAND AND WALES

****CHECK AGAINST DELIVERY****

1 October 2026

Intro

My Lady Chief Justice, Lord Chancellor, Madam Attorney, Mr Solicitor, Heads of Division, My Lords, members of the Bar and of the courts.

On behalf of the Bar of England and Wales, I welcome the swearing-in of the Lord Chancellor, the Attorney General and the Solicitor General and extend my congratulations.

I am delighted to have a full house!

The Dean of the Faculty of Advocates of Scotland, Roddy Dunlop KC and the Chair of the Bar of Northern Ireland, Denise Kiley KC also convey their warm congratulations.

Speech

There can be few ceremonies which bring together quite so vividly both the history and life of our constitution.

The offices whose holders are sworn today are ancient ones. They are considerably older than many of the institutions of the modern state in which they now operate.

The oldest office is that of Lord Chancellor.

Its origins reach back well over a thousand years. The Chancellor began as an officer of the Sovereign, associated with the preparation and authentication of royal documents and, in due course, with custody of the Great Seal. From those beginnings grew an office of extraordinary constitutional reach.

Over the centuries, the Lord Chancellor became at once a Minister of the Crown, a presiding figure in Parliament, and a judge. The Chancellor presided over the House

of Lords from the Woolsack; sat judicially; and became associated with the jurisdiction of Chancery and the development of equity.

That history left us with the memorable description of the Chancellor as the “keeper of the King’s conscience”.

Whilst the phrase may belong to another constitutional age, the idea behind it is not entirely remote from the ceremony we witness today. It recognised that there must be, at the heart of government, a consciousness of the constraints imposed by both law and legal institutions.

For centuries, those different constitutional functions—executive, legislative and judicial—were embodied in a single person.

Section 17 of the Constitutional Reform Act 2005 fundamentally altered that settlement.

The Lord Chancellor ceased to be head of the judiciary; the Lord or rather Lady Chief Justice assumed that role in England and Wales; the Lord Chancellor ceased to preside over the House of Lords; and the establishment of the Supreme Court completed an important institutional separation between the final Court of Appeal and Parliament.

But Parliament chose not to abolish the ancient office but wrapped its constitutional principles in a statutory duty as expressed in your oath, Lord Chancellor, to respect the rule of law, to defend the independence of the judiciary, and to discharge the duty of ensuring the provision of resources for the efficient and effective support of the courts.

The offices of the Attorney General and Solicitor General have histories almost as remarkable and can be traced back to the medieval lawyers appointed to represent the interests of the Crown before the royal courts. By the fifteenth century we find the recognisable title of Attorney General; and alongside the Attorney there developed the office which became that of Solicitor General.

Francis Bacon, himself a Solicitor General before becoming Attorney General and ultimately Lord Chancellor, described the Solicitor Generalship as one of the “painfulest places in the Kingdom”.

Perhaps that is one piece of constitutional history which Mr Solicitor would prefer not to see revived too literally.

Lord Chancellor, you are from Manchester. I have heard it said that you can walk with a particular Manchester swagger. I was watching closely when I saw you this

week walk across the stage to deliver your first speech to the Labour party conference as Lord Chancellor.

Your public service also is rooted in Nottingham, the city to which you came as a student and whose communities you have represented both on the council and in Parliament. It is where we met earlier this year when I and colleagues from the Bar Council escorted you around Nottingham Crown Court and you listened and engaged with the challenges faced by our barristers working in the criminal justice system.

Your work in adult social care and public health, and your earlier experience as a trade union organiser, will have brought you close to people at moments when effective support and representation mattered most. We at the Bar felt that experience from you in the robing room at Nottingham Crown Court.

It is an experience that has a particular resonance across the Bar: we see daily how much depends upon people being able to assert their rights, secure a fair hearing and obtain justice.

You take on this office at a time of crisis in criminal justice. The poor condition and capacity of our courts, depletion of legal aid, prisons at capacity and unacceptable delays through decades of underinvestment mean that you have had to hit the ground running.

We are encouraged that you are in fact a keen runner. The Bar is alongside you although we will keep pointing out that we are in dire need of new running trainers.

Attorney General, you spent more than a decade practising law in employment rights, representing trade union members and later establishing a business supporting working mothers and women facing maternity discrimination. You bring to this office direct experience of what legal protection means to people. I enjoyed working with you when you were Solicitor General and I know that anyone who can walk the Legal Walk in heels means business.

Solicitor General, you too bring the experience of practice at the Bar, alongside many years of public service. Your commitment to access to justice has extended well beyond practice: you served for more than thirty years as a trustee of Hammersmith and Fulham Law Centre, and more recently as Chair of the Justice Committee. The pinnacle of your career of course was a stint doing public affairs and media for the Bar Council some decades ago.

Lord Chancellor, Attorney General and Solicitor General, you inherit offices with histories measured in centuries.

You can be assured that the Bar will work constructively with you where we can; speak candidly to you where we must; and remain, throughout, committed to our common responsibility for the administration of justice and safeguarding the integrity of our legal system.

I warmly congratulate each of you on your appointment.