

JO COOPER
SAHCA CHAIR

Inaugural speech – 13 November 2009

Annual Conference, Leeds
'PUTTING SOLICITORS AT THE HEART OF THE PRACTICE OF LAW'

As your new Chair the very first of my tasks is a happy one. It is to welcome you and all of our guests for what promises to be an interesting, even exciting conference.

In choosing the title 'Solicitors at the heart of the practice of law' we have brought the spotlight back on the reality of our daily practice and our vision for the future.

No doubt that phrase may be a theme of my period of chairmanship. It has certainly been a theme of Tim's and Avtar's before him. And if the phrase is to be a reality then we at SAHCA have to continue to focus on some priorities in the coming period.

I'm going to say a few words about some of our priorities as we see them now and then briefly introduce to you the team who will endeavour to put them into practice.

1. PROMOTE

Of course one of SAHCA's prime functions is to promote solicitor advocacy - where and in whatever form it takes.

It is worth underlining the depth, and variety of our membership.

- whether you conduct your advocacy in Civil, Crime or Family
- whether in-house, employed or freelance
- whether you are a full time advocate, or you mix advocacy with litigation
- whether you appear in the Higher Courts, the Tribunals or elsewhere
- (indeed, whether in this country or abroad),

our job is to promote your ability to provide advocacy services in their great diversity.

Of course that is easier in 2009 than 15 years ago. Our association has doubled in size in the last five years.

The reality is that as each day goes by, our members are doing substantially more advocacy, and in more places. And as SAHCA expands, our members are entitled to expect SAHCA to do more advocacy on their behalf.

2. PROTECT

The successes we have had have not come without resistance. And just as Tim needed to reach for the hard hat from time to time, I expect that there will again be a need to protect our profession from unwarranted attacks.

From a variety of sources, there have in the last year been some odious attacks, orchestrated by people who apparently have no interest in seeing solicitor advocates improve, let alone solicitor advocacy prosper. SAHCA's message to them is "Face it. We are here to stay."

And to colleagues in Scotland where the attacks have been particularly bitter, we say an attack on you is an attack on us. We stand foursquare behind you.

But part of protecting the brand means knowing when to listen to messages which are sometimes difficult to hear. We have as our guest HHJ Peter Collier QC the Recorder of Leeds. His judgement about the role of junior counsel in two counsel cases sent out some ripples of consternation amongst solicitor advocates. If you log into our new website you may be able to see that judgement. Why is it there? Because it is required reading for criminal practitioners. It makes the point that the role of junior is not a free ride. Solicitors are no more entitled to abuse the system than generations of barristers before them, by whom and about whom the expression "straw junior" was invented.

So protecting the brand does not mean retreating to the bunker, but engaging with the arguments and affecting the debate - particularly the quality agenda. And today's conference is part of that process. Judge Collier, you are very welcome.

3. PROVIDE

A third heading for us to think about as an organisation is how and what we deliver for our members.

Before descending into some concrete examples, you could say that confidence is the key thing.

- Confidence as individuals, and increasingly, confidence as an organisation.
- Confidence, in the future, to set our own standards. Perhaps of all the member services we might provide, this is one of the most important to how our future turns out.

Increasingly as we engage with the quality debate, you can expect us to be working to influence and engage with regulators, with the quality assurance process in all its forms, and in due course ensuring that there is training provision that is precisely synchronised with the quality agenda that we as advocates have contributed to.

As part of that standards debate we very much welcome Dr Jonathan Spencer and also (in the audience) our very own Yvonne Brown, both from the SRA. We welcome Linda Lee as well, as part of a new and more pro-active Law Society leadership.

We also welcome David Wolfe – today wearing not one hat but two. David is here both as Legal Services Commissioner and also as a Board Member of the Legal Services Board.

So turning to the practical things – you would of course expect us to continue and develop our core tasks:

- our very important lobbying and watchdog roles,
- and to expand and develop our already highly successful and prolific training function. 2009 has already been a bumper year in terms of our delegate numbers and feedback and we want to take this further year by year.

I'm just going to mention three further initiatives that are designed to open up opportunities in areas of interest to our members and which are capable of making a real difference:

1. Judicial office is one important strand - you will find that until further notice every training event or conference has as a strand 'How to apply for judicial office' – For today, we extend a warm welcome to Jeremy Brooks and Ed Nally from JAC to start this off.

Why are we working together on this? Allowing our diversity to reach the bench is an important initiative.

2. Pro Bono – Many of us do pro bono in our individual capacities but Sam Tate and Tim Lawson Cruttendon are going to take forward a programme which will help us to look at how our collective skills can be brought to others needier than ourselves.
3. International - We have many solicitor advocate members working in international advocacy whether direct for clients as I and others have been in Brussels, The Hague and elsewhere; or in teaching and human rights advocacy. In the course of the next month I am going to be talking in Eastern Europe and in Asia on crime or human rights policy, and whenever I do so I am also an ambassador for solicitor advocacy. I want to ensure that more opportunities like this are available to members who are interested.

Initiatives like these are all about expanding our vision of what solicitor advocacy can do, what it can achieve.

IN PRACTICE

So how will these principles be delivered in practice?

We are doing a bit of tinkering to our organisational structure to ensure that it is fit to deliver the vision we intend for it

- That means more streamlined and effective committee positions, driven by clear policy objectives
- In the past we have been much slower than the Bar to engage positively with both the judiciary, government and the media. As our association expands we need to have structures that help us to do this, and the confidence to reach out. Our incoming committee is dedicated to putting some of these in place.
- It also means a rather more commercial outlook, helping in turn to fund more services for our members
- And also a regionalised structure that enables better communication with where our advocacy is being done – namely from one side of our jurisdiction to the other and from top to bottom.

It is also about delivering more of what you, the membership want - so if it is not this, then tell us what.

How? By talking to us, or at the very least taking part in the Member Survey which is detailed in your pack. We have 15 committee members and 6 officers here from all the regions of England and Wales. Find us, talk to us, tell us what you support and why. Your input, your feedback is invaluable.

THE NEW TEAM

Well this is an ambitious programme and although I will do my best I doubt I will lead with anything like the wit or wisdom of previous Chairs. But you can have real confidence in the capacity of our newly enlarged team to deliver on these priorities.

So whilst thanking our outgoing committee members for their dedication we also welcome five new committee members:

- Chris Clark
- Adam Aldred
- Lynton Orrett
- Raj Chada
- Jonathan Brierley
- Jim Meyer

Two of these are from this neck of the woods [Leeds], two from London, one from Cardiff and another from Belfast. These appointments express the vibrancy of the association, its regional representation, and also the civil / crime split which we hold dear.

We welcome new Officers:

- Yvonne Spencer from VWL, Bristol - the doyenne of Education Law, who is the new Vice Chair
- She joins Shawn Williams from Birmingham, who continues as Honorary Treasurer

- Leslie Cuthbert from Essex is our new Honorary Secretary.

To these we add, most importantly the position of the new President. The key addition to our management team is the gentleman to my left who has kindly agreed to accept our invitation - the Honourable Mr Justice Hickinbottom, Sir Gary Hickinbottom.

Sir Gary has kindly agreed to speak this morning and I will say more about him by way of introduction in a moment.

But I conclude these opening remarks by thanking you for your attendance here today. You have heard something of our priorities for the coming year - to Promote, to Protect and a flavour of what we intend to Provide. You have met the team assembled to put this into practice. No doubt there is much more for us to learn and we as a committee will be listening – especially today - to our guests and to our members as to how we continue to develop these priorities in practice.

And so now to our keynote speaker this morning:

SIR GARY HICKINBOTTOM

Many of you will know that Sir Gary was admitted as a solicitor in 1981, having spent the first three years of his working life as a clerk at a High Street solicitors' firm in the Black Country. During those same three years he also took a first-class law degree at Oxford, which allowed him to train as a commercial litigator with McKenna & Co.

He started his sitting career as a parking adjudicator (1994) becoming a recorder that year and then a circuit judge in 2001. He became Chief Social Security Commissioner and Child Support Commissioner in 2003, and also Chief Pension Appeal Commissioner. He also began to sit as a deputy High Court judge.

In 2008, he became the fourth solicitor to be appointed a High Court judge, after Michael Sachs in 1993, Lawrence Collins in 2000, and our own Henry Hodge in 2004.

Sir Gary's appointment as a High Court judge was announced in September 2008, with his assignment to the Queen's Bench Division and with a particular role in relation to the Tribunal Service.

Sir Gary is a man who in many respects embodies the spirit of our association – we are delighted that he will be able to bring to our association some of the qualities he has brought to the High Court Bench. Ladies and Gentlemen, it is a great pleasure to declare this conference open and a particular honour to invite to the podium our first speaker and your new President, Sir Gary Hickinbottom.

13th November 2009