

JUSTICE

Middle Temple

11th February 2015

You all know about Magna Carta, and the 800th anniversary of its sealing by King John. You probably all know that what became Clause 1 of the Charter was hammered out here in the Temple. You probably also know that the saviour of the charter, William Marshal, became a Knight Templar shortly before his death and that his effigy is still to be found in the Temple Church.

By the charter it was agreed that justice would neither be delayed nor denied nor sold: that the punishment would fit the crime, but that the punishment would follow due process. Courts would be available to do justice. What I shall describe as enforcement officers, like sheriffs and bailiffs, should not sit as judges: and past injustices would be remedied.

It's all there, with words like "justice" and "full justice" and "right" and "rights" and "liberties", and "the law of the land" and "the counsel of the realm". Words used 800 years ago that still resonate to this day. It was of course not all sweetness and light. 1215 was not the first year of modern democracy. Many sacrifices were made before it was established. And that warns us to be a little less patronising than we sometimes are, when we see new nations struggling to fix democracy as their basic institution. It's not easy.

As we celebrate the Charter, with that touch of humility, however, and whenever and wherever it is celebrated, we should not be so blinded by its brightness that we fail to read and remember that short line in Twelfth Night, first performed in this Hall - "What's to come is still unsure".

In the present context this is more important than Shakespeare's perhaps more famous lines; "To be or not to be", or "Once more unto the breach". On one view of course these are words spoken by the clown stating the perfectly obvious. For me, however, it is the most important line ever written by Shakespeare. When we think about liberties and rights and freedoms the clown is telling us never to take the future for granted, never to say to ourselves, "well this is England, it will all be all right", and to avoid the smug self-satisfied attitude to our liberties which will make them disappear before our eyes and turn Magna Carta into a valueless piece of vellum.

JUSTICE is now approaching its 60th birthday. Since its foundation in 1957 it has been the eyes and ears and voice of those who believe that the administration of justice and the preservation of freedom should never, ever, be taken for granted. We are indebted to JUSTICE for its proposal and support for the Ombudsman system, the Crown Prosecution Service, and the Criminal Injuries Compensation Board, now integral to our system. Long before modern means of surveillance had been imagined, JUSTICE was campaigning about the potential dangers. And as new methods of communication and surveillance are created, we can expect JUSTICE to be at the forefront of careful consideration of their likely impact. To this day it successfully seeks to intervene in a very significant proportion of cases heard in our Supreme

Court, intervening to ensure that all sides of the argument - to achieve a fair result according to law - are advanced, when perhaps it is not forensically convenient for either side to advance them. This is the voice that helps to keep us alert.

Just as we all know about Magna Carta, I suspect that everyone here knows about JUSTICE. Just as we should never take the principles of Magna Carta for granted, may I suggest that we should never take JUSTICE for granted.

This is an apolitical, non party political, charitable organisation, supported by individual members of just about any political hue you can imagine. It can only survive if it receives financial support. It owns a freehold property, and the roof leaks, the basement floods, and the walls need redecoration. Its staff is loyal and committed, but there are not enough of them. The strategy of JUSTICE has been reviewed and re-energised. Our moral support is invaluable, but it is not enough. Simply, not enough. How could anyone not support it morally? If however it is to survive, let alone be strengthened, it needs more than just our good wishes. All the necessary information is on your seat. You know what to do.

Hilary Mantel has generously agreed to give of her time to speak on this occasion. She probably needs less introduction than Magna Carta itself. For her works she has been nominated for literary rewards on a humongous level. She is the first British writer, and the first woman to win the Man Booker Prize more than once. What is more, and this cannot be said of every winner of the man Booker Prize, these two winners had the wonderful quality of being utterly, devouringly readable. She has never used words or constructed a sentence in a way which obscures her true meaning. The characters that she creates are vividly alive in the environment in which she has chosen to place them. That is great writing.

JUSTICE is privileged, and I personally feel privileged, to invite her to speak to us this evening.