

My Lords, My Ladies

Last year, standing where I am today, the Dean spoke of the legal world post-COVID recognising as he did the resilience and adaptability of the court system and those who work within it. That resilience and adaptability had resulted in us returning to a near-normal world, albeit one in which there had been day-to-day changes in the way we conduct business. In the main, these were due to technological advances with the use of electronic papers and the use of remote hearings. Changes that no doubt would have come in due course, but which were accelerated due to COVID. Civil business has all but returned to normal, albeit with more procedural hearings being conducted remotely. As a result the courts, whether in person or virtual, are as busy as they once were. But the building in which we stand now, less so. We have all returned to work, but the practices enforced under COVID have meant that for many returning to work has not meant returning to their place of work. For some that may be advantageous, but that can come at a cost and the Advocates Library is a much quieter place as a result, and although the books that line the walls remain in situ, they are not Faculty's greatest asset. Our greatest assets are the members who inhabit the desks within, as is evidenced by the talents of our newest silks, and in the coming year I hope to see members return and re-engage with old acquaintances and perhaps make some new ones.

In the criminal courts progress continues in reducing the backlog of cases, the statistics confirm that. But what the statistics do not show is the amount of hard work, effort, and perseverance that has required to be expended by those who work daily within our criminal courts. The Judiciary, the Crown, the defence bar and the Scottish Courts and Tribunal Service, in particular the clerks who have had to rapidly adapt to the use of new technology, they are perhaps the unsung heroes of the courts. The progress that has been made has been achieved by parties working together in a collaborative and positive way and although we may have arrived at the problem from different directions everyone has the same goal, the continued and uninterrupted operation of the administration of justice, and with the continuation of that approach I am confident that progress will continue.

Faculty is grateful to His Lordship for his recognition and understanding in respect of the present problems facing both the defence bar and those working within the criminal field at the solicitors' branch of the profession. A problem of diminishing numbers caused by the longstanding difficulty of attracting and retaining young graduates and lawyers to this area of work. One that is likely to become more acute with the increased rollout of further provisions within the Vulnerable Witnesses (Criminal Evidence)(Scotland) Act 2019.

There may be no short-term solution to the problem but we appreciate it is one that is not being ignored. To that end, Faculty will continue to attempt to recruit the brightest legal talent from all walks of life and in doing so promote diversity. It is refreshing to note that this year there are more female devils due to start the foundation course in October than males. For too long there has been a gender imbalance within the profession and Faculty will play its part in attempting to redress the balance.

We will also continue to focus on the wellbeing of members, recognising as we do the problems that come from the isolation of working at home at one end of the spectrum to the problems that arise from the relentless nature of an increased workload at the other. I therefore look forward with optimism to the coming legal year and I am fortified in that optimism by looking back and seeing what has been achieved in the last few years.

There are undoubtedly challenges ahead that will put further pressure on resources, none more so than those contained within the Victims, Witnesses and Justice Reform (Scotland) Bill, but at the opening of the legal year last year the Dean gave your Lordship his assurance that Faculty would continue to strive to ensure that the gains that have been achieved are sustained, and that further progress could be made in ensuring a robust and efficient justice system fit for today and the future. By definition that must include adapting to meet the needs of modern-day attitudes and values. I repeat that assurance this year.

- ***Ronnie Renucci, KC, Vice-dean of the Faculty of Advocates***