

**Legal Wales Presentation to the
Supreme Court of the UK
at the
Legal Profession Dinner
held at the Cardiff Coal Exchange
24th July 2019
Huw Williams, Chair of Legal Wales
(as delivered)**

Fy Arglwyddes, fy Arglwyddi, cymdogion / My Lady, my Lords, colleagues,

Herbert Edmund Davies – later Lord Edmund-Davies of Aberpennar, a Lord of Appeal in Ordinary - was a shining example of the “social mobility” (to use the modern term) afforded by the Welsh Grammar Schools.

Schools such as Mountain Ash Grammar School, which launched Edmund Davies’ career, were part of a distinct system, with its origins in the Welsh Intermediate Education Act 1889, and not to be confused with the English grammar schools. From such school’s further scholarship opportunities were open to the brightest students from modest backgrounds.

It is therefore entirely appropriate that the London Welsh lawyers’ initiative to encourage young people in Wales to believe that the law is open to anyone with intelligence, diligence and empathy, should be named after Edmund Davies.

The example of the Lord Edmund-Davies Legal Education Trust – or “LEDLET” - was cited earlier this month by the Kirsty Williams AM, the Welsh Minister of Education as an example of what the professions and business can do to break down misconceptions and encourage aspiration among learners interested in a legal career.

I am therefore pleased to be able to tell you this evening that Legal Wales has already begun discussions with LEDLET as to how we might collaborate to develop a LEDLET “model” within Wales. This will aim to encourage an awareness of what lawyers in Wales do and the range of careers open to those who stay and qualify or return later, to practice in Wales.

Elisabeth Jones, herself brought up and educated in Mountain Ash and lately Chief Legal Adviser to the National Assembly, has agreed to lead a sub-committee of Legal Wales to take this initiative forward – volunteers please speak to Elisabeth afterwards.

On 10th February 1982, towards the end of his judicial career, Lord Edmund-Davies addressed the Honourable Society of Cymmrdorion at the National Museum of Wales. He chose as his topic “Judicial Quality”, drawing on the common law tradition and the careers of Lord Atkin of Aberdovey and the less well known now but nevertheless significant figure of Judge David Jenkins of Hensol (see Wikipedia).

However, as we were reminded by Dr Sara Elin Roberts in her lecture in the Senedd on Monday evening there is a Welsh legal tradition, older than either Scots law or the English Common Law.

The attributes of a good judge – judicial quality – was addressed in the code of Welsh law which we now refer to as the Laws of Hywel Dda and the texts that have come down to us list those attributes in terms that prefigured Lord Edmund-Davies’s own views in his lecture:

So firstly, in what Tolkien called “the senior British language”:

“Brawdwr a dyly gwrandaw yn llwyr, cadw yn gofawdyr, dyscu yn graff, datganu yn war, barnu yn trugarawc.”

Which, in what Lord Denning called “our rough English tongue”¹ is:

“A judge is to listen fully, keep in memory, learn acutely, pronounce courteously, judge mercifully.”

The practical application of these principles has of course been evident in Your Ladyship and Your Lordships’ court this week in Cardiff but to render these principles in tangible form and, we all hope, to remind Your Ladyship and Your Lordships of the Supreme Court’s first sitting in Wales – and use of the Welsh language - Legal Wales has been fortunate to be able to call on an expert in the art and practice of lettering.

Jonathan Adams, architect of the Wales Millennium Centre, whose spectacular revival of the use of the monumental inscription you will have seen on your way to and from Tŷ Hywel this week, has rendered this text in a form which we hope you will consider worthy to find a place at the Supreme Court.

Jonathan was hoping to be here this evening but has had to miss the occasion; for the excellent reason that he has been called to Aberystwyth where he has won the commission to design the National Broadcasting Archive at the National Library of Wales.

¹ *Morris v The Crown Office* [1970] 2 QB 114 & *The Due Process of Law* – Denning (Butterworths 1980) p.10

Finally, before I invite the President to unveil the work that Jonathan has created, I would like to mention that with the agreement of the Supreme Court, Legal Wales is working with Jonathan on a proposal to ensure that the contribution of Welsh lawyers and Welsh law (both historic and modern) to the United Kingdom's legal tradition - at the apex of which is the Supreme Court - should have a worthy physical representation within the fabric of the Court's building in Parliament Square.

Further details of the project and a fund-raising effort that will be necessary both here in Wales and, I hope, among the London Welsh legal community, will follow in due course.

Felly, Fy Arglwyddes, derbyniwch os gwelwch yn dda y cyflwyniad hwn oddiwrth y proffesiwn cyfreithiol Cymreig i Oruchaf Lys y Deyrnas Unedig /

My Lady, please accept this presentation from the Welsh legal profession to the Supreme Court of the United Kingdom.

Huw Williams