

— THE —
HAMLYN
LECTURES
— 2021 —

To be delivered by

Lord Pannick QC
Blackstone Chambers

Advocacy

Lecture 1:

Tuesday 9 November 2021, 17:30-18:30
Gray's Inn Hall

Booking:
<https://www.ials.sas.ac.uk/events/event/24580>

We should know beforehand whether this event will be in-person, digital or hybrid. If you are booked you will be advised of all joining arrangements.

Lecture 2:

Wednesday 10 November 2021, 18.00-19.00
Senedd, Cardiff Bay

Booking:
<https://www.eventbrite.co.uk/e/hamlyn-lectures-2021-the-morality-of-advocacy-live-streamed-from-cardiff-tickets-177106629697>

Lecture 3:

Thursday 11 November 2021, 18.00-19.00
The Law Faculty Building, Gulbenkian Theatre,
Oxford

Booking:
<https://forms.office.com/r/ndgPFD2h9C>

The Essence of Advocacy

Chair: The Rt. Hon. The Lord Reed of Allermuir
FRSE

The Morality of Advocacy

Chair: The Rt. Hon. Lord Lloyd-Jones FLSW

The Future of Advocacy

Chair: The Rt. Hon. Lord Burrows

Advocacy

The Essence of Advocacy

The first lecture will celebrate advocacy: that controversial legal issues are decided in court after reasoned argument in which the participants refrain (usually) from shouting, personal insults or threats, and the points on each side of the debate are tested for their relevance, their accuracy and their strength. The art of persuasion is now less valued in politics, but it remains of central importance to law. This lecture will seek to identify the central characteristics of good and bad advocacy with the aid of examples from courtrooms here and abroad. Though none of them will identify the machine by the secret use of which it was said that the 19th century advocate, James Scarlett (later Lord Abinger), "could always make the head of a judge nod assent to his propositions".

The Morality of Advocacy

When John Mortimer's fictional barrister, Horace Rumpole, tells his wife, Hilda, that the principle of his profession is that "I will accept any client, however repulsive", she responds, "That's not a principle, that's just a way of making money from the most terrible people". The second lecture will defend the ethics of the advocate whose task is to be argumentative, inquisitive, indignant, flattering or apologetic - as the occasion demands - on behalf of the person who pays for her voice. The advocate sets out views to which he does not necessarily subscribe, on behalf of clients for whom he may feel admiration, indifference or contempt. That the independent advocate is not to be associated with the opinions or conduct of her client is fundamental to the administration of justice. This lecture will also address counsel's duties to the court - often difficult to apply in practice - such as the duty not to mislead.

The Future of Advocacy

The third lecture will consider whether advocacy as it has been practised in our courts for centuries can survive the challenges which it now faces. Is Professor Richard Susskind correct in saying that because of the demands of justice and efficiency, and the opportunities offered by technological developments, oral advocates will be - and should be - "eliminated" from the legal process (save for exceptional cases) as "people do not really want you. They want the outcomes you bring"? This third lecture will present a more positive view of the future of oral advocacy and encourage young students to pursue advocacy as a career.