



The Faculty of Advocates

### VALEDICTORY ADDRESS

**Delivered by W. James Wolffe QC, Dean of the Faculty of Advocates to the Lord President of the Court of Session, the Right Honourable Lord Gill in Court One, Parliament House, on the occasion of the Lord President's leave-taking of the Court on 26 May 2015**

Lord President,

I have here three books and a folder of papers.

The first book is a very rare copy of Grotius' *De Jure Belli ac Pacis*. It is the 1642 edition and it was acquired by the Advocates Library, when you were Keeper of that great institution. I have selected this book to represent your commitment to Scotland's outward-looking legal heritage; and also your commitment to all the things which are of timeless importance to our profession – scholarship and learning, intellectual rigour, and – to use your own words - the noblest ideals of professional conduct, and a commitment to justice for all.

The second book which I have brought here this morning is called *The Law of Agricultural Holdings in Scotland*. If there is anyone in this courtroom who does not know – or dares to admit that he or she does not know - this work, it is the leading textbook in its field. The first edition was written by Brian Gill QC, as he then was, in 1997; the same author brought out a third edition only last year; and, Lord President, you will be pleased to know that this copy of the third edition appears to have been very well thumbed. I have brought this book to illustrate your personal contribution to the modern law – to keeping Scotland's laws accessible and up to date; so that, as a living system, they

may secure justice and prosperity to the people of Scotland now and in the future.

To that end, I could equally have chosen any consultation paper or report published by the Scottish Law Commission between 1996 and 2001. During that period, under your leadership, the Commission proposed many reforms, not least among them the abolition of the feudal system of land tenure and a major overhaul of the law of vulnerable adults. Or I could have selected any volume of Session Cases since you were appointed to the bench in 1994: the law reports of the past twenty years are filled with your judgments, expounding and applying the law in your characteristically lapidary prose.

The third book which I have here is Volume 1 of the Civil Courts Review. There is little point in having modern and accessible laws, if the courts do not resolve legal disputes efficiently and at a proportionate cost - as you observed in January, unless our courts are able to provide an effective service to litigants, the law itself will atrophy. Your Presidency of this Court has been characterised by a major campaign of civil justice reform, built on the programme which you articulated in the Civil Courts Review. I suspect, Lord President, that you may not consider the military metaphor of a campaign to be out of place.

I have heard these described as the most substantial reforms to our civil justice system since David I established the sheriff courts; others might compare them with the reforms effected by Archbishop Gavin Dunbar in the sixteenth century which culminated in the establishment in 1532 of this Court over which you preside; or the series of reforms undertaken in the early nineteenth century under the leadership of your predecessors Ilay Campbell, Robert Blair and Charles Hope. I have chosen the Civil Courts Review to represent your reforms – rather than, say, a print of the 2014 Act – because the campaign of reform which you have led is about much more than legislative and institutional structures; it aims to effect nothing less than a transformation in the way that we secure civil justice in this country in the twenty first century.

Collectively, Lord President, these three books symbolise the mark which you have made on the law and legal system of Scotland. But I know that the law is not your sole preoccupation; and that brings me to this folder. It contains the anthem, *Populus Sion*, which you wrote for the Faculty of Advocates Choir, and which was performed by that Choir under your direction in the Basilica of St Peter in Rome in 2006. I have brought this into the courtroom today to represent culture, music, faith, fellowship, and all the things which enrich our souls and bring joy into our lives. I know that I speak on behalf of the whole Faculty, as its Dean, in expressing the hope that, as the law releases its claims upon you, as you lay aside the burdens of office, you will find great enjoyment, doing things about which you care and spending time with the people whom you love.

