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INDEPENDENT FINANCIAL ADVISOR

Lord Chancellor – All Change

David Lidington has become the fourth Lord Chancellor and Secretary of State for Justice in just over two years after Liz Truss became the only member of the cabinet to be demoted following the election.



Mr Lidington, also the fourth non-lawyer to hold the post after Chris Grayling, Michael Gove and Ms Truss, has got his own department for the first time after being appointed leader of the House of Commons last July when Theresa May became prime minister.

In a statement released last night, Mr Lidington said: “I am pleased and honoured to have

been appointed as Lord Chancellor and Secretary of State for Justice.

“Together with my ministerial team, I look forward to working with the hard-working and dedicated staff in our prisons and probation services, in our courts and tribunals and with people right across the justice system.

“Democracy and freedom are built on the rule of law, and are protected by a strong and independent judiciary. I look forward to taking my oath as Lord Chancellor, and to working with the Lord Chief Justice and his fellow judges in the months ahead, to ensure that justice is fairly administered and robustly defended.”

Ms Truss, who lost the confidence of the legal profession by failing to stand up for the judiciary from newspaper attacks during the article 50 court case, has become chief secretary to the Treasury, the number two to the Chancellor of the Exchequer. As such she will

attend cabinet, but not as a full member.

There she replaces David Gauke, a solicitor at City firm Macfarlanes before he was elected in 2005, who has become work and pensions secretary. Attorney General Jeremy Wright QC has retained his post.

Mr Lidington graduated in history from Cambridge University and then completed a doctorate in Elizabethan history. His PhD was entitled ‘The enforcement of the penal statutes at the court of the Exchequer c.1558-c.1576’.

He then worked in industry for BP and Rio Tinto before being appointed in 1987 as special adviser to the then Home Secretary Douglas Hurd. He moved to the Foreign Office in 1989 when Mr Hurd was appointed Foreign Secretary.

After holding various shadow positions, he was appointed Europe minister in 2010, a post he held until last year.

He has had little connection with legal issues to date. His voting record shows, unsurprisingly, that he supported his party's moves to limit legal aid, although there is some confusion about his position on the Human Rights Act.

[A link](#) to the monitoring website TheyWorkForYou has been circulating which indicates that he voted in favour of repealing the Act.

However, a closer examination shows that he was voting against a Labour amendment to last year's Queen's Speech that featured several criticisms of the government, including a call for it "to abandon its misguided proposals to repeal" the Act. In that context, it does not appear to be a positive push for repeal.

In late 2015, the *Financial Times* reported that he was a supporter of the European Convention on Human Rights.

In a blog around the same time to mark Human Rights Day, Mr Lidington wrote: "As the Minister for Europe, one of my

central responsibilities is to promote and support the protection of human rights throughout Europe.

"One issue I care strongly about is access to justice for all. Through diplomacy and financial support across the region we are working hard to ensure that people's rights to equality before the law and to a fair trial are protected and upheld."

Last December, he spoke out against "political considerations" entering into the judicial appointments process amid the furore around the article 50 case.

The immediate response to his appointment from legal observers on Twitter was positive.

Former Lord Chancellor Lord Falconer wrote: "Truss departure welcome. PM should publish why she thought Lidington qualified by experience to be Lord Chancellor as law requires."

What now remains to be seen of course is the action that Mr

Lidington will take with regards to the 'Discount Rate Consultation' launched by his predecessor Liz Truss following the amendment to the prescribed discount rate from 2.5% to -0.75% effective from 20th March 2017.

The latest consultation has now ended with the data and responses collated and the outcomes due to publish in due course.

For further information please do hesitate to contact your Frenkel Topping Consultant directly or make contact with our Head Office on:

(T): 0161 886 8000

(E): enquiries@frenkeltopping.co.uk