

**First Deemster's speech on the occasion of the swearing in of Anthony**

**Maurice Cross KC as**

**His Majesty's Judge of Appeal – 10 October 2022**

Your Excellency, My Lord Bishop, Mr President, Mr Speaker, Chief Minister,  
Your Honours, Mr Solicitor, Madam President, Members of the Manx Bar,  
Ladies and Gentlemen

It is my considerable privilege and pleasure to welcome you all here this morning to witness the swearing in of our new Judge of Appeal, Anthony Maurice Cross KC. A particular welcome is extended to His Honour's wife and children, other family members and friends.

The origin of the office of Deemster is lost in the mists of time. By contrast, the Judge of Appeal is a relatively recent office, created as it was by the sweeping constitutional reforms of 1918 - 1921. Anthony Cross KC will be the twentieth person to assume this office. As the title suggests, the Judge of Appeal, sitting with at least one of the permanent Deemsters or Acting Deemsters, decides most appeals from the lower courts across a wide spectrum of work, be it criminal, family or civil in nature.

This ceremony represents a return to tradition in two ways. Our last Judge of Appeal and indeed successive judicial appointments in very recent years have entailed a modest swearing in ceremony at Government House. With the agreement of His Excellency, I felt it more appropriate to return to the tradition of inviting a larger number of guests to a more public ceremony in the Isle of Man Courts of Justice, as had been the case for many years prior to 2017.

The second return to tradition is the fact that Anthony Cross KC is a proud Lancastrian, having practised in the north-west of England from chambers in Manchester. In that respect he continues a long line of Judges of Appeal, most recently Benet Hytner KC and of course Geoffrey Tattersall KC who I am very pleased to see is with us today, as of course is former Judge of Appeal Jeremy Storey KC to whom as the most recent holder of this important office I pay particular tribute for his 5 years of hard work and commitment. However, unlike Boris Johnson's Cincinnatus he is not returning to his plough. I am pleased to say that Jeremy will continue to sit on appeals from time to time as a valued and experienced member of our panel of Acting Deemsters. Thus he will continue his long service to the administration of justice in this Island.

For those of you who do not know Anthony Cross' background, he was called to the English Bar in 1982, having obtained a law degree from Manchester

University in 1980. He practised in civil, family, employment and crime for about 15 years before specialising in crime and regulatory work until he was appointed a circuit judge in 2016. Prior to that he had been appointed a recorder in 2002 and took silk as Queen's Counsel in 2006. He was an Acting Deemster in this Island from 2012 to 2016. He was Chairman of the Criminal Bar Association of England and Wales from 2014 to 2015, was elected as a bencher of Middle Temple in 2016 and became a tutor with the Judicial Studies Board, (now the Judicial College) in 2016 where he has taught on both the long and complex trial and recorder courses.

During his time as an Acting Deemster, he will be particularly remembered for being the trial Judge in the case of a man who was charged with assaulting the then Judge of Appeal and the First Deemster in court during the hearing of an appeal against one of my decisions in an employment case. This was a very challenging trial which required great sensitivity and judge craft. He dealt with several other jury trials. They usually involved Defendants who were unrepresented or whose cases had particular difficulties.

As a circuit judge assigned to the Crown Court at Crown Square, Manchester, Anthony Cross has dealt with an extraordinarily challenging workload. Crown Square in Manchester has a near unique work profile, comparable only in England and Wales to the Central Criminal Court at the Old Bailey. The judicial

work at Crown Square consists of a steady diet of heavy crime, murder, manslaughter, terrorist offences, gang related drugs offences, serious sexual offences, complex fraud and so on. During the recruitment process for the Judge of Appeal, the panel received highly complimentary references from the resident judges at Crown Square, paying tribute to an ability to deal with this day to day work of challenging complexity in a rigorous and skilful way.

In addition to his work in court, Anthony Cross has taken a leading role in modernising and modifying the ways of working within the Crown Court, using technology where appropriate. He was of course in office during the Covid pandemic when the English criminal justice system was subject to the most intense challenges. We look forward to benefitting from His Honour's experience of introducing technology akin to the Crown Court Digital Case System in order to benefit the administration of justice in this Island. I also look forward to exploring with His Honour the various ways in which the appeal system may be improved by reforms to the relevant primary legislation or Rules of Court. I am thinking here in particular of the need, as is the case nowadays in most jurisdictions, for a requirement of leave or permission to appeal, thus weeding out vexatious or other unmeritorious appeals which cause unwarranted delay and expense to an already slow and very expensive process.

Although as I have observed he is a proud Lancastrian, Anthony Cross has personal connections to the Isle of Man. These are long-standing for the obvious reason that Mrs Joanne Cross is “half Manx”, her father having been born here, and she has many relatives still living on the Island. Her maiden name is Corrin. It is obvious that Anthony Cross has an enormous affection for the Island and I know that he is very much looking forward to living here and enjoying all the Island has to offer. As a keen cyclist he is particularly looking forward to exploring our hills and valleys.

Members of the Manx Bar should be aware that Anthony Cross has an expectation of excellence from those who appear before him and it is likely that the standards he will set will be at least as rigorous as those maintained by his immediate predecessors. Nevertheless I am confident that he will rapidly gain the respect and affection of the profession.

Finally, the Manx public and all those elsewhere who are obliged to resort to litigation in the Manx courts may be assured that with this appointment the Island’s judiciary remains strong and independent and will continue to administer justice according to the law and in accordance with our respective judicial oaths.

I will now read Her Majesty’s Warrant of Appointment given by Her Majesty’s command at Saint James’ Palace on 5<sup>th</sup> September 2022. This of course has a

particular poignancy in light of the sad demise of the sovereign just a few days later.

I will now invite Anthony Cross KC to take the Oath of Allegiance and the Oath of Deemster.