



HM GOVERNMENT OF GIBRALTAR
Ministry of Education, Telecommunications and Justice
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GSD SPLIT ON LEGAL AID TOO

The Government is astonished by the continued criticism by the GSD on the subject of legal aid and legal assistance. This is clearly just an attempt to be populist despite the facts. In their latest statement, the GSD question why the Government has not progressed “the reforms which were there” when they were in office. This is a reference to a draft Bill which had been prepared by the previous administration. What the GSD fail to explain is why they, after 16 years in office and with the current Leader of the Opposition as Minister for Justice for 4 years, did not themselves progress “the reforms which were there”.

The GSD do not appear to understand, or have understood but choose to ignore, Government statements, including a statement in Gilbert Licudi’s budget address, to the effect that the reforms are being finalised, will be announced before the start of the legal year in October, and will be fully implemented during the course of this calendar year. In other words, the GSLP/Liberal administration will have achieved in less than 3 years what the GSD administration failed to do in 16 years. In the light of this, which is already known by the GSD, the public will rightly be baffled by the audacity and cynicism of the GSD’s criticism.

The GSD also criticise the Government for changes to the legal aid rules which, they say, have only benefitted a handful of individuals in the recent case of the Marrache brothers. The GSD again chooses to ignore the Government’s explanations for the reasons those changes were made and the fact that, in doing so, the Government acted on legal advice. That advice was provided to the Government by James Neish QC, an eminent and highly respected lawyer with Triay Stagnetto Neish. The Government has no doubt that the GSD, in a similar situation, would have followed the advice given by Mr Neish QC in respect of a legal challenge already commenced in the Marrache case.

What is all the more astonishing is that a member of the Opposition, Mr Damon Bossino, is a partner of the firm that gave Government that advice. The Government must therefore assume that Mr Bossino stands by the advice given by his firm and that this necessarily disassociates Mr Bossino from the criticism being levelled by the Opposition. It follows that

not only is the Opposition split on the economy; it must also be split on this issue. The cracks in the Opposition benches are becoming more evident by the day.