

PRESS RELEASE

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GSD Continue to be Confused over Legal Aid Reform

The latest outburst by the GSD on legal aid reform continues to show that the party does not understand the difference between legal aid and legal assistance. Party spokesman Elliott Phillips, himself a lawyer, has demonstrated that he is not able to distinguish between these basic concepts.

Legal aid reform has been carried out already. This was done initially on the basis of advice received by an eminent lawyer as to the effect of the legal aid rates at the time on the Defendants in the Marrache case. The GSD, by criticising this again, are really saying that they would have preferred that those defendants that were convicted of serious fraud should have been discharged and should not have been tried at all. That would have been the effect if the Government had failed to act as it did.

Moreover, following the conclusion of that case and in full consultation with and with the agreement of the Bar Council, new rules were published which completed the reform of the legal aid system to the satisfaction of the legal profession and for the benefit of court users who rely on legal aid. It is extraordinary that Mr Phillips, a member of the Bar Council, should criticise this.

What Mr Phillips should explain is why his party, after 16 years in office, did not carry out the reforms that he is calling for. He should also explain why the only contribution in this area by then Minister for Justice, the current Leader of the Opposition, during his four years in office was a draft Bill which was unworkable and could not realistically have become law. That is no doubt the reason why the GSD failed to proceed with this piece of legislation.

One thing is clear, this Government has done more to reform the legal aid system in four years than the GSD did in sixteen years.