

8TH MARCH 2004.

Hon. Prime Minister,

Mr. Chairman,

Your Excellency the British High Commissioner,

Colleagues of the Bench and at the Bar.

I have been asked to be brief and I will stick to that brief.

As I have had occasion to point out in my address on the occasion of the opening of the Judicial Year last October, we stand at the doorstep of great changes to the economic, social and political life of this Island. These changes have already, in part, begun to be reflected in our law, both substantive and procedural, and will also possibly be reflected in the not too distant future in the very set-up of our Courts of Justice.

After the celebrations of the 1 of May all of us – Judges, Magistrates, lawyers, Judicial Assistants, legal procurators, Registrars and Deputy Registrars – will have to face up to the reality of a new *corpus juris* with which not all of us can claim, to date, to be familiar. Speaking for the Judiciary, I can say without fear of being contradicted that few of us are on really familiar terms with EU law in the same way as we are with what, up to now, we have very happily referred to as “domestic law”. It is true that over the last years, especially the last five or six years, there has been an avalanche of legislation intended to prime our “domestic law” for the 1 of May, but at the same time the sheer volume of that legislation meant that it could not easily be absorbed by all those concerned.

Fortunately for the Judiciary and for the legal profession, these last two years have seen a quantum leap in the co-operation between the Bench and the Bar in the field of continuing professional development for their respective members. The setting up of the Judicial Studies Committee last year was instrumental in advancing this co-operation.

I have been a lawyer now since 1976, and I can say that I do not ever recall this kind of co-operation either from a quantitative or from a qualitative point of view. What I think we have all realised over the last few years is that the common problems we face – not only in connection with the application of new laws, be they domestic or EU laws – but also such problems as the backlog of cases and the inordinate length of time that some cases take to be finally disposed of – cannot be solved by simply complaining and pointing an accusing finger in this or in that direction. We need to take positive steps. And I believe that both the Bench and the Bar are doing their utmost to do just that.

There is still, however, much more that needs to be done from a practical aspect. I will simply mention a few areas which spring to mind. With reference to EU law and the Judiciary in particular, the library at the law courts is still without even the minimum requirements in terms of EU legislation and books on EU law – since a few days ago, the library does not even have the services of a professional librarian.

We need more full-time (not part-time) Judicial Assistants or other research officers well versed in EU law to assist the Judiciary. And we need also a suitably qualified person who can act as EU liaison officer or coordinator in matters concerning the EU – even small Government departments have such a person in office but an important branch of Government such as the Judiciary has not been provided with such an officer.

On the positive side, the Judicial Studies Committee, has from the very start, received the fullest cooperation, help and support from the British High Commission and from the present High Commissioner, Mr Vincent Fean, personally. Indeed this two-day conference would not have been possible without the support of the British High Commission.

The distinguished foreign speakers we have to-day with us were originally intended to speak at a conference aimed solely for members of the Judiciary, but the Judicial Studies Committee quite rightly thought that others could benefit from their presence in Malta, and so the Chamber of Advocates was asked to participate and contribute with its organisational expertise.

My thanks go also to the members of the Judicial Studies Committee who, in spite of the fact that all four of them – Mr Justice Camilleri, Magistrate Meli, Dr Kevin Aquilina and Mr Alfred Theuma – have their own full-time jobs, they have managed somehow to find the time and the energy to take on the additional task of organising this and other conferences and seminars. Unfortunately the Judicial Studies Committee has as yet been allocated no funds or staff to enable it to function independently of the Ministry of Justice which, after all, was one of the goals agreed upon by all concerned when it was decided to set up the JSC.

I wish to thank the Chamber of Advocates and the President, Dr Mangion and the members of his team who, I know, have been very busy these last few weeks dealing with the hundred and one organisational aspects of this conference. I wish also to thank all the speakers, both from Malta and from the United Kingdom, who have kindly accepted the invitation to take part in this conference and to share with us their knowledge, views and expertise on the subject of EU law. Finally I wish to thank you for attending. By your participation you show that the joint efforts of the Judicial Studies Committee and the Chamber of Advocates are indeed directed to meeting specific needs of the Bench and the Bar.

I wish you all, as we say, *buon proseguimento*.