

Submission by Derek Bernard

Hello!

Access to a “fair” justice system for all its citizens is a very important element in a society. It is also extraordinarily difficult to achieve at a cost that the society will find acceptable. Despite reading on the subject, as well as thinking and discussing it for many years, I have no “procedure” solutions to offer.

Causes

But the problem would be somewhat smaller and thus more manageable, if government generated few complex new laws and made a serious attempt to repeal or simplify those already on the statute book. Sadly that has not been the thrust for a very long time. On the contrary, virtually every time a law is “updated”, it is made much longer, more complex, with many more rules and offences. And all new regulatory laws tend to be full of rules and offences.

A much more stringent approach by the States to reviewing all law proposals for cost-effectiveness and enforcing independent, measured appraisal on a regular basis, e.g. every 5 years, with automatic repeal in the absence of unambiguous, measured benefit, would likely have very substantial, long-term benefits other than for the growth of the legal profession.

Sincerely

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