

OPENING OF THE LEGAL YEAR 2025
LAW COUNCIL CHAIRMAN'S SPEECH

Chief Justice, I too welcome His Excellency the Governor, our Chief Minister, the Minister for Justice and other distinguished guests.

My Lord, it is a pleasure to stand here before you and make this address for the first time, as Chair of the Law Council.

I would like to begin by extending gratitude on behalf of the legal profession, to Sir Maurice Kay and Sir Colin Rimer for the time and dedication they have given to our community as part of the Court of Appeal. Their legacy will endure in the fabric of our legal system. I wish them both all the very best for the future ahead.

I would also like to take a moment to pay tribute to a number of members of our profession who we have sadly lost this year. The late Sir Murray Stuart Smith, the late Judge John Alcantara and our esteemed colleagues, the late Robert Fischel KC and the late Javier Triay Senior. All of whom will be remembered for their contributions in upholding the rule of law, providing legal support to and protecting the rights of countless individuals in our community.

The Legal Services Regulatory Authority

As has been customary, in my predecessors speeches, I will turn first to the LSRA.

Firstly, I would like to commend the great work that has been done by the LSRA's CEO Francis Muscat during his first year in the role. With the guidance and support of the LSRA's Chairman Sir Peter Caruana and the members of the LSRA board, he has and continues to build on the foundations laid by his predecessor, implementing robust systems and processes to provide a solid regulatory framework enabling the profession to operate to a high standard.

The LSRA's primary focus continues to be on AML in particular, as part of the wider Moneyval process. An assessment system has been implemented to ensure firms meet the expected requirements, with remedial and in some cases, punitive action to be undertaken for

those that fall short of their obligations. The LSRA continue to conduct onsite reviews on firms as part of this process. There have been some changes proposed to the Legal Services (Registration and Practising Certificates) Rules for the purposes of adopting a more streamlined approach to registrations and renewals. The Law Council has assisted in reviewing revisions to the legislation and provided some suggested amendments to assist in this process.

The LSRA has recently expanded its team in order to ensure it can continue to carry out its function efficiently going forward. This will undoubtedly be welcomed by the profession.

The Ministry of Justice

The Council has a good relationship with the Minister for Justice and his team.

It has supported the Ministry in numerous events organised during the course of the year, most recently the Financial Services Careers Fair that was designed to provide students and young professionals with the opportunity to explore different career avenues in financial services and which included law.

The Law Council, via the Finance Centre Council has also participated and provided input on various Ministry led initiatives such as reviewing and providing comments on legislative changes to financial services (and other) legislation that were put out to consultation with the industry.

The Courts Service

The Council continues to have a solid relationship with the Courts Service. Issues that may arise and matters of common interest are discussed with the Chief Justice, the Registrar and the CEO with a view to achieving positive outcomes. The Chief Justice, Registrar and CEO have always, and continue to remain available to discuss industry related matters and we are very grateful to them for the time they extend to this despite their own extremely busy schedules.

We continue to have a Court Users Committee that engages with the Courts Service, to discuss matters relevant to those that attend court. This includes the review of the duty solicitor and legal aid schemes that the Council hopes to push forward during the course of this year. The Council hopes to promote more participation from both the Senior and Junior

Bar in these schemes going forward. The Council would also like to consider how it can help encourage more engagement from practitioners in criminal work where there appears to be a shortage of lawyers attending to these cases.

The Law Council is pleased to note the positive work undertaken by our newly appointed Stipendiary Magistrate Charles Bonfante, during his first year in the role. With the support of the Registrar, Karl Tonna, he has hit the ground running and their positive work in the Magistrates court has not gone unnoticed.

The Council would like to thank the Chief Justice and all of the Members of the Judiciary for their time and efforts in attending to and accommodating the heavy case loads that are currently going through the court system in order to ensure proper and timely access to justice.

The Council also offers its thanks to the CEO of the Courts Service, the members of the Lay Bench, the Clerks and all of the staff for all of their hard work and dedication to our legal and justice system.

The Law Council

The Law Council has been busy during the course of this year on various initiatives.

Work has continued on updating the Law Council website and increasing our social media footprint via our newly constituted page on LinkedIn. I would encourage all practitioners to join our LinkedIn page.

We have also streamlined our internal banking processes and formulated budget plans to enable us to organize events for the industry both from a social and educational context. We hope to roll some of these events out in the coming year.

The Law Council has provided assistance to the university with the organisation of the various modules being provided by practitioners for the Law Course and helped implement new modules. We continue to engage with the University generally on educational matters related to law. We hope to be able to explore the offering of various CPD events at the University during the course of the year.

As mentioned previously, we continue to liaise closely with the LSRA on matters affecting our members both through our seats on the LSRA board as well as in our independent capacity as Law Council. This includes but is not limited to reviewing amendments to legislation and facilitating where necessary, wider consultation processes with the industry.

The SQE continues to be a relevant topic, since its implementation in the UK as an eventual replacement to the LPC. In this regard, we have written to and liaised with the Department of education in relation to the funding arrangements for this post graduate course and also assisted the LSRA with some proposed amendments to the legislation to accommodate the immediate changes, pending wider consideration on how this will be fully implemented in Gibraltar.

We have had discussions with some of the in-house lawyer groups from both industry and our regulators with a view to securing informal representation on the Council pending full implementation of Part 5s under the Legal Services Act. We have already collaborated with in house council on some events under the Law Council banner such as the annual careers fair held by the Department of Education and our newly inaugurated Legal Walk which I will come to subsequently.

The Law Council also holds a seat at the Finance Centre Council. Through the Finance Centre Council we work closely with the Minister for Financial Services and his team on matters relating to the financial services industry. This includes attending monthly meetings with the Minister and representatives of the financial services sector, as well as participating in various industry events organised by the Ministry and being consulted on legislative changes or other initiatives affecting the industry. The Law Council will also be participating in the Gibraltar Day in London events to be held in October having contributed to the planning and promotional lead up via the Finance Centre Council.

Finally, this year we have inaugurated our Legal Walk, which we hope will become an annual fixture on the Law Council's calendar. I am pleased to report that the event was a big success with Members of the Judiciary participating alongside legal professionals and other individuals working in the legal field. We managed to raise well over £3,000 for the GBC open day which will be distributed for the benefit of local charities.

Today we are celebrating the Opening of the Legal Year with our customary lunch, a feature which will remain firmly in the calendar for the foreseeable future despite the changes to the

Law Council's membership. We acknowledge however, that the lunch does not cater to the full membership and are considering hosting an annual dinner that will be open to all legal professionals practicing in Gibraltar, something to watch out for.

I take the opportunity to thank all of the members of the Law Council board for all of their work and the time they have dedicated during the course of this year. I would especially like to thank our Vice Chair and my predecessor Kenneth Navas who navigated the Law Council through a transitional time and set many of the foundations on which we are now building.

Turning to each board member in person, Michael Adamberry, our Treasurer for having done a sterling job in getting our accounts up to date and maintaining a tight budget, David Montegriffo for representing the Law Council on the Finance Centre Council board, Paul Grant for having spearheaded the hugely successful Legal Walk, Tania Rhamany for her diligent work in relation to the issues members were facing with the SQE and for launching our social media presence, Freddie Vasquez and Dhiraj Nagrani as well as all other council members for their invaluable contributions in relation to legislative changes, Daniel Herbert and Nick Borge for their work on the website and Kelly Power and Seth Galia for all of their support throughout the year. A big thank you also to our new secretary Debbie Spencer for her assistance and the amazing job she has done on the preparations of today's events. I also take a moment to pay tribute to our esteemed colleague Robert Fischal KC who was also a member of the council and who sadly passed away, he will be sorely missed.

Personal reflections

I will now make some personal reflections.

Our legal sector has evolved significantly over the last few years. We have transitioned from a largely self regulated profession to having our own regulator. What was the Bar Council has now become the Law Council, home to all practicing lawyers in all walks of law. The demands from the profession have greatly increased, with international bodies applying more scrutiny. All of these challenges have meant that we have had to re-evaluate, adapt and operate to higher standards. For these reasons, I would encourage all members of our profession to come together to get through any hurdles we may face in unison and collaboration, ensuring we uphold the reputation of Gibraltar as well as the values and integrity of its lawyers.

The world has evolved and the way in which we work has modernised significantly. It is important for our profession to adjust to the times so that we remain relevant and an attractive profession to younger generations. Equally we must not forget the importance of tradition, etiquette and our professional ethics when conducting our services, in particular, when training our younger lawyers. Upholding the rule of law is not just our duty, it is the foundation of our credibility and service.

Turning now to today's events.

I thank Bishop Zammitt for once again holding the Red Mass, a tradition that is of great importance to many amongst the profession. This will be his last year as Bishop of Gibraltar and I would like to thank him for his service to the community and wish him all the very best going forward. On that note, I extend congratulations to Father Charlie Azopardi on his appointment as the new Bishop and look forward to have him host the Red Mass next year.

The Opening of the Legal Year lunch will take place later on today at the Rock Hotel and we look forward to welcoming our members and esteemed guests.

On that note, I second the motion that the legal year be opened.

Emma Lejeune

Law Council Chairman

26 September 2025