

SLICE OF POLITICAL PIZZA



THE letter of invitation had dropped through my door. Was this to be my moment of glory or just a sellout to the establishment? I had been invited to 11 Downing Street—the Chancellor of the Exchequer's squat—to celebrate and acknowledge the work that had gone on in Nottingham in a project which will turn the Shire Hall courts into a national museum of law.

The project itself is ambitious and impressive. It deserves all the backing we can give it So I went along, and took my place amongst the great and good, the rich and rotund, the well-connected and the . well-motivated. It was my first time in Number 11, The earth never moved.

As I listened to the wonderful descriptions of how the museum would be developed and would work, I began to wonder what it was out of English law that we would want to hold up and admire. What parts of our legal history would be a source of pride to hold up before future generations and foreign visitors?

One of my own favourites would be the legal aid system. Introduced by a Labour government in the year in which I was born, it seemed to recognise mat the only point about having equal rights is if you also have equal access to the judicial system if these rights are broken or infringed or denied to you. The right to justice should not be determined by whether you are rich enough to afford it.

I make this point because, just two days before the Chancellor's gathering, it was the first anniversary of savage cuts in the legal aid budget which were made by the Lord Chancellor last April.

The consequences have been all too apparent. There are no longer waits for restriction on the rights of access to legal aid which have cut out some 12 million people from eligibility. There have been fewer charges brought to trial by the Crown Prosecution Service (to save costs) and far more victims of crimes finding the most serious charges against their assailants have been dropped (without their knowledge) in order to secure a 'safe' conviction on lesser charges. Is this the understanding of 'justice' that we want to see enshrined in our national museum of law?

For centuries, equality before the law has been a central tenet of our legal system and constitution. Yet the fundamental right to equal treatment by toe law is meaningless without equality of access to proper legal advice and representation. This is precisely what seems to be slipping away from us.

It isn't only the young who look at the present state of English law and think it is an ass. Many of those who see the system of criminal injuries compensation being reduced to a 'tea and sympathy' basis have already expressed their outrage that compensation is not even linked to the extent of the damage done to a person, or the year by year basis of the cost of care that they face. Others look with growing contempt at the sense of one rule for the rich and one rule for the poor that has crept back into English law.

As I stood in the middle of Ken Clarke's reception room an idea came to me. I know that, inside, the museum will have to be bright, imaginative and engaging if people are to want to visit it But outside there is a need for some symbolism. I thought it would be nice to have two statues to some of the greatest qualities of modern law.

The first would be a statue to celebrate the healing power of the law. In fact, it would be a statue of Ernest Saunders who, you may remember, diddled the country out of millions in the Guinness swindles. After he was convicted and sent to prison, Ernest became poorly, so we let him out. Then, lo and behold, he became better again. He made an miraculous recovery from Alzheimer's disease and is now able to run his own business. Someone has to recognise the healing power of the law.

The second statue should reflect the generosity of the law. It is on a large canvas of kindness and compassion that the law must also be judged. This would certainly be apparent in a statue of Roger Levitt He was the man who went bankrupt leaving other people with £36 m of bad debts, and was sentenced to 180 hours' community service Since his obligation to make reparation to society is written off at a cool £200,000 for every hour he put in, it can be described as nothing if not generous.

BUT let me put this in another perspective — the kids who nick cars and drive you barmy. To put them' selves into the Roger Levitt league, any one of these kids would have to nick all the cars in Nottingham and would still be several grand short of the £36m total. Even if they did this, they would face a lynch mob, not community service.

And the pensioners who went to prison for not paying their poll tax? No one said to them: "Oh, you're feeling poorly. Well why didn't you say so... Off you go then." The differences in the way that people are treated under the law are more than a matter of marginal inconsistencies. They are gaping holes through which wealth, privilege and patronage drive a coach and horses.

I really hope that the national museum of law is a roaring success. But if it is to be so then, at the centre of its very being, must be a recognition that all of the best achievements that we have built into the law over centuries have come out of the struggles of ordinary people... for decency, for justice, for equality based on rights not riches, for a sense of fairness to stretch over the land.

It is not there now, but perhaps the museum can remind us of how others, across decades and centuries, found the courage and determination to show how it might be achieved.