

Access to Justice in Britain is for the Privileged Few

News:

The Guardian Newspaper reported that in Britain “The number of people receiving legal aid has fallen more than 80% in eight years. Critics say the result is unnecessary conflict and stress, and unsatisfactory justice. The Guardian investigation revealed that the cuts to legal aid have swamped the family courts with unrepresented litigants, discouraging many from continuing with proceedings. The number of people accessing legal aid in family matters has fallen 88% in seven years.” It has also “prevented hundreds of thousands of people from pursuing justice in other areas such as housing, debt, employment, clinical negligence, immigration, welfare payments and education.”

Penny Scott, chair of the Law Society’s family law committee said “More and more parents are losing touch with their children for various reasons. If there’s a conflict about children, it’s quite difficult for people to take that on unrepresented. Despite the increase in litigants in person ... there are fewer and fewer [people] going to court because they can’t face it.”

A lord chief justice said: “We have to restore advice and representation, otherwise we are undermining the rule of law. Without legal aid, people are being deprived of access to justice... What saved the courts from chaos is that [the government also] cut police funding. If you restored funding to the police and they caught and prosecuted more [suspects], the courts would be in desperate trouble.”

Steve Hynes, the director of the Legal Action Group, which promotes equal access to justice, said of the legislation “it is a big part of the reason why equality before the law is rapidly becoming a privilege for the few rather than a right all of us should enjoy. Cuts have reduced access to civil legal aid services to a postcode lottery in which many lose out.”

Comment:

Since the 2008 financial crisis, ordinary people in Western countries have been footing the bill for the bankers’ greed. Instead of holding to account the criminal bankers who created the economic recession with their corrupt dealings, successive governments have bailed out their wealthy elite friends and made the ordinary people suffer the consequences of austerity driven policies.

What the capitalist politicians continually fail to address is the real human suffering that occurs as a result of their protection of the interests of a tiny wealthy elite. Family breakdown was already a cause of misery for so many in Britain, and this lack of access to justice, particularly in family matters, just makes matters so much worse.

The miserable plight of the ordinary person in the West, who does not belong to a privileged elite class, will only get worse while secular capitalism is the order of the day.

Access to justice according to the Islamic Shariah is an obligation on the courts in the Islamic State, as the Prophet (saw) is reported to have said «وَرَجُلٌ قَضَى لِلنَّاسِ عَلَى جَهْلٍ فَهُوَ فِي النَّارِ» **“A man who judges for the people based upon ignorance, then he is in the hellfire”** and when he appointed ‘Ali as the judge over Yemen, and he gave him instructions about how to judge by saying «إِذَا تَقَاضَى إِلَيْكَ رَجُلَانِ، فَلَا تَقْضِ لِلأَوَّلِ، حَتَّى تَسْمَعَ كَلَامَ الآخرِ» **“If two disputing men come to you, do not speak until you have heard the second as you heard from the first”**.

This is in stark contradiction to the capitalist system which only guarantees the rights of a wealthy few, leaving the rest of the people to fight it out amongst themselves.

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