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Access to Justice: Exposing the Myths

by Andrew Moretta

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Access to Justice: Exposing the Myths

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In the second of IER's series of Mythbusters, Andrew Moretta considers the many myths surrounding access to justice. Andrew starts by highlighting how, during the Thatcher years, enforcement of rights shifted away from collective bargaining towards individual rights enforced through the courts. He then charts the narrative surrounding the "red tape" and "burdens on business" ideology which he believes paved the way for systematic attacks on the tribunal system – most particularly the introduction of fees, cuts to legal aid and the closure of many law centres – all designed to blunt the effectiveness of employment protection. More recently the ability of trade unions to protect the interests of workers is being threatened by new anti-trade union legislation. The author concludes "the action necessary to remove the legislation and restore trade union freedoms lost since 1979 will now involve breaking the law."

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