

JUDGE JOSEPH FLORES

B.L. CAN LL.D.

Judge Joseph Flores retired as one of Her Majesty's judges on Saturday, January 15th 1972. His farewe'll ceremony which was held in the Criminal Hall at the Law Courts Valletta was attended by a large crowd which included H.M. Judges, the Minister of Justice, Magistrates, the acting Crown Advocate General, Lawyers and other members of the legal profession.

Judge Flores was born at Hamrun on the 17th January 1907. He was educated at Flores College which was founded by his grandfather. In 1924 he joined the law course at the Royal University of Malta. As a student he was very active and sat on the Permanent Committee (nowadays known as the Student's Representative Council) for seven consecutive years. He graduated Doctor of Laws in 1931 and 3 years after as Bachelor in Cannon Law in which subject he was appointed lecturer at the R.U.M.

As a lawyer, Dr Flores will always be remembered as a colossal figure who, during his career, defended in all, 26 capital trials. This set up a record which is still unbroken. One should note that in all these trials by jury none of Dr Flores's clients received capital punishment. Dr Carmelo Mariani defended at 20 such trials but six of his clients received capital punishment. Dr Flores was also a member of the Malta Arbitration Tribunal and Vice President of the chamber of advocates. He was the first lawyer to appeal successfully to the Privy Council against a judgement in which his client P.C. J. Connel was sentenced to death in con-

nection with a murder which took place at Gold it-Tafal in 1944.

Dr Flores was nominated judge on the 9th December 1955 when it was found necessary to increase the number of judges to eight. He presided over both the Civil and Criminal Court. In August 1971 Judge Flores was appointed Vice President of the Constitutional Court.

by **PAUL A. GAUCI MAISTRE**

Judge Flores was also a one time politician. He joined the Malta Labour Party in 1950 and soon after became its deputy leader. He contested the elections and was successful on three occasions in both the 8th, and 9th districts. He was appointed Speaker to the Legislative Assembly till the 5th December 1955.

Recently I met Judge Flores and took the opportunity to get his opinion on some aspects of our law. He agreed that an overall revision of the Criminal Law is necessary because times had changed but our laws had not kept pace. In sentencing the guilty party, special attention should be given to the treatment of the young offender. From his own experience both as a lawyer and as a judge, Judge Flores considers that crime has increased in one way because of the increase in population, in another, because the individual who is by nature imitative craves for a higher standard of living, sometimes beyond his reach. Crime is committed

mostly by persons whose ages range from 16-40 years. Such people normally come from broken families and thus do not receive an appropriate education during the formative years of their childhood. Crime is not prevented by inflicting harsh penalties for this will only breed a subconscious vindictive attitude towards society: "Punishment should have for its object only the discouragement of crime but also the reformation of the offender". Judge Flores

stressed. Loss of liberty and seclusion from society for a period are the hardest forms of punishment. With regard to probation, Judge Flores said that this has proved to be 85% successful, and it has rarely happened that offenders who have been conditionally released became relapsers.

Judge Flores concluded by saying that he will persist in increasing his knowledge of crime and the criminal.